

2015 No. 1337

HEALTH CARE AND ASSOCIATED PROFESSIONS

The Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules Order of Council 2015

<i>Made</i> - - - -	<i>28th May 2015</i>
<i>Laid before Parliament</i>	<i>29th May 2015</i>
<i>Laid before the Scottish Parliament</i>	<i>29th May 2015</i>
<i>Coming into force</i> - -	<i>1st July 2015</i>

At the Council Chamber, Whitehall, the 28th day of May

By the Lords of Her Majesty's Most Honourable Privy Council

The Health and Care Professions Council has made the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015 which are set out in the Schedule to this Order, in exercise of the powers conferred by articles 7(1) and (2), 10(1) and 41(2) of the Health and Social Work Professions Order 2001(a).

In accordance with articles 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

In accordance with articles 41(1) and 42(1) of that Order, such Rules shall not come into force until approved by Order of the Privy Council.

Citation and commencement

1. This Order may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules Order of Council 2015 and comes into force on 1st July 2015.

Privy Council approval

2. Their Lordships, having taken the Rules contained in the Schedule to this Order into consideration, are pleased to and do approve them.

Richard Tilbrook
Clerk to the Privy Council

(a) S.I. 2002/254. By virtue of section 214 of the Health and Social Care Act 2012 (c. 7), the body corporate known as the Health Professions Council was re-named the "Health and Care Professions Council" and the Health Professions Order 2001 was renamed the "Health and Social Work Professions Order 2001" by section 213(6) of that Act..

SCHEDULE

Article 2

The Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015

The Health and Care Professions Council makes the following Rules in exercise of the powers conferred by articles 7(1) and (2), 10(1) and 41(2) of the Health and Social Work Professions Order 2001.

In accordance with articles 7(1) and (3) and 41(3) of that Order, the Health and Care Professions Council has consulted the Education and Training Committee and representatives of groups of persons it considers appropriate, including representatives of the groups listed in article 41(3) of that Order.

Citation and commencement

1. These Rules may be cited as the Health and Care Professions Council (Registration and Fees) (Amendment) (No. 2) Rules 2015 and come into force on 1st July 2015.

Amendment of the Health and Care Professions Council (Registration and Fees) Rules 2003

2.—(1) The Health and Care Professions Council (Registration and Fees) Rules 2003(a) are amended as follows.

(2) In rule 8 (certificates), in paragraph (1), for “shall” substitute “may”.

(3) For rule 11 (renewal of registration), substitute—

“Renewal of registration

11.—(1) Not less than 42 days before his registration ends, the Committee shall send to a registrant a notice (a registration renewal notice)—

- (a) inviting the registrant to submit an application for the renewal of his registration;
- (b) specifying the renewal fee prescribed in rule 15, and
- (c) warning the registrant that he is liable to be removed from the register unless his completed application and the renewal fee is received by the Committee on, or before, the date specified in that notice.

(2) An application referred to in paragraph (1)(a) may either be—

- (a) a written one, in the form determined by the Council and containing the declaration and information listed in Schedule 2; or
- (b) an electronic one, in the manner and form required by the Registrar which includes the declaration and information which would be required if the application were a written one.

(3) If both the registrant’s application for the renewal of his registration and the renewal fee are not received by the Committee by the date specified in the registration renewal notice, the Committee shall send a notice to the registrant warning him that unless both his application and the renewal fee are received within the relevant period, his name may be removed from the register.

(a) S.I. 2003/1572 as amended by S.I. 2014/532 and S.I. 2015/93. The title to the Rules was amended to read the “Health and Care Professions (Registration and Fees) Rules 2003” by rule 2 of S.I. 2014/532 to reflect the change in the Council’s name (see footnote (a) on page 1).

(4) The “relevant period” is a period of 14 days beginning with the day on which a warning notice is sent to the registrant.

(5) Where both the registrant’s application for the renewal of his registration and the renewal fee are not received within the relevant period, the Committee may direct the Registrar to remove the registrant from the register from the later of—

- (a) the day on which that period expires, and
- (b) the day on which the registrant’s registration would otherwise expire.

(6) Any notice given by the Committee to a registrant under this rule may—

- (a) be sent by post to the home address of the registrant as it appears in the register and shall be treated as sent at the time of its posting; or
- (b) where the registrant has given a written statement to the Registrar consenting to receive any such notice in an electronic form, it may be sent to the electronic address specified in that statement or in any superseding statement.”.

(4) In rule 14 (registration fee)—

- (a) in paragraph (1)(a), for “£80” substitute “£90”; and
- (b) in paragraph (1)(b), for “£160” substitute “£180”.

(5) In rule 15 (renewal fee), in paragraph (b), for “£160” substitute “£180”.

(6) In rule 15A (readmission fee), for “£120” substitute “£135”.

(7) In rule 16 (restoration fee), for “£120” substitute “£135”.

(8) In rule 17 (scrutiny fee)—

- (a) in paragraph (1), for “£56” substitute “£63”; and
- (b) in paragraph (2), for “£440” substitute “£495”.

(9) In rule 18 (payment of fees), in paragraph (2)—

- (a) omit “, readmission fee, restoration fee”; and
- (b) omit “four six-monthly”.

Given under the official seal of the Health and Care Professions Council this 14th day of May
2015

Anna van der Gaag
Chair
Marc Seale
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves Rules amending the Health and Care Professions Council (Registration and Fees) Rules 2003 (“the 2003 Rules”).

Amending rule 2(2) amends rule 8 of the 2003 Rules so that the Registrar is no longer required to give a person whose name is entered in the register a certificate to that effect. As amended, the registrar “may” give a registrant such a certificate but is not obliged to.

Amending rule 2(3) amends the 2003 Rules by substituting rule 11 of those Rules. New rule 11 deals with the process in relation to renewal of a registrant’s registration. It makes renewal subject to the making of an application and the payment of the requisite fee; makes provision of the form of an application and the consequences of failing to make an application and or failure to pay the requisite fee.

Amending rule 2(4) to 2(8) amends rules 14 to 17 of the 2003 Rules. Rules 14 to 17 of the 2003 Rules deal with fees payable to the Health and Care Professions Council (HCPC) in connection with a person's registration in the register maintained by it.

Amending rule 2(4) changes the fee that the HCPC charges on first registration—

- (a) from £80 to £90 where registration takes place less than two years after the applicant was first awarded the recognised qualification (an increase of 12%);
- (b) from £160 to £180 in all other cases (an increase of 12%).

Amending rules 2(5) changes the fee that the HCPC charges for renewal of registration from £160 to £180 (an increase of 12%).

Amending rule 2(6) changes the fee that the HCPC charges on readmission to the register from £120 to £135 (an increase of 12%).

Amending rule 2(7) changes the fee that the HCPC charges on restoration to the register from £120 to £135 (an increase of 12%).

Amending rule 2(8) changes the fee that the HCPC charges for scrutinising applications for registration from “£56” to “£63” (an increase of 12%) and from “£440” to “£495” (an increase of 12%).

Amending rule 2(9) amends rule 18 of the 2003 Rules so as to limit payment by direct debit to registration fees and renewal fees and to allow those fees to be paid by instalments (as opposed to a set number of instalments).

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