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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 13**

**Medical Practitioners (Vocational Training)  
Regulations (Northern Ireland) 1998**

**Part I**

GENERAL

**Citation and commencement**

1. These Regulations may be cited as the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998 and shall come into operation on 30th January 1998.

**Interpretation**

2.—(1) In these Regulations—

“the 1978 Order” means the Health and Personal Social Services (Northern Ireland) Order 1978;

“appeal body” means the body appointed by the Department under regulation 14;

“certificate of prescribed experience” means a certificate issued pursuant to regulation 10 and, for the purposes of regulation 4 includes a certificate of prescribed experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979<sup>(1)</sup>;

“certificate of equivalent experience” means a certificate issued pursuant to regulation 12 and, for the purposes of regulation 4, includes a certificate of equivalent experience issued under the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1979;

“General Practice (GP) Registrar” has the meaning assigned to it in regulation 2 of the General Medical Services Regulations, regulation 2(1) of the National Health Service (General Medical Services) Regulations 1992<sup>(2)</sup> and regulation 2(1) of the National Health Service (General Medical Services) (Scotland) Regulations 1995<sup>(3)</sup>, and also includes a practitioner who is being trained in general practice under an arrangement approved by the Armed Services General Practice Approval Board;

“the General Medical Services Regulations” means the General Medical Services Regulations (Northern Ireland) 1997<sup>(4)</sup>;

“Health and Social Services Board” includes an HSS Trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(5)</sup> and any person responsible for the management of a hospital which is not vested in either the Department or an HSS Trust;

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(1) [S.R. 1979 No. 460](#)

(2) [S.I.1992/635](#) as amended by [S.I. 1997/2468](#), regulation 3

(3) [S.I. 1995/416](#) as amended by [S.I. 1998/4](#), regulation 2(2)

(4) [S.R. 1997 No. 380](#) as amended by [S.R. 1998 No. 9](#)

(5) [S.I. 1991/194 \(N.I. 1\)](#)

“the Joint Committee” means the Joint Committee on Postgraduate Training for General Practice;

“Medical Directive” means Council Directive [93/16/EEC](#) of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications<sup>(6)</sup>, as amended by Council Directive [97/50/EC](#) of 6th October 1997<sup>(7)</sup>;

“the medical list” means a list maintained under regulation 4 of the General Medical Services Regulations;

“practitioner” means a fully registered medical practitioner except for the purposes of regulation 6(4) where it also includes a medical practitioner with limited registration under section 22 of the Medical Act 1983<sup>(8)</sup>;

“satisfactory completion”, in relation to the period of training in any employment has the meaning assigned to it in regulation 9(1);

“summative assessment” has the meaning assigned to it in regulation 9(2); and

“trainer” has the meaning assigned to it in regulation 7(1).

### **Power of direction**

3.—(1) Subject to paragraph (2), the Department may give directions to the Joint Committee in connection with—

- (a) their functions under these Regulations or the Vocational Training for General Medical Practice (European Requirements) Regulations 1994<sup>(9)</sup>, in so far as those functions relate to the Community obligations contained in Title IV of the Medical Directive; and
- (b) any other functions of theirs which arise from Community obligations and which relate to specific training in general medical practice;

and it shall be the duty of the Joint Committee to comply with any such directions.

(2) Directions given under paragraph (1) may be as to matters of administration only.

### **Experience and certificates required**

4.—(1) Subject to paragraph (2), a Health and Social Services Board shall not arrange under Article 56 of the principal Order with a practitioner for him to provide general medical services for persons in its area unless he is suitably experienced within the meaning of Article 8(2) of the 1978 Order.

(2) A practitioner who, in pursuance of Article 56 of the principal Order, applies to a Health and Social Services Board to be included in the medical list shall produce evidence that he is suitably experienced.

(3) The written evidence required to be produced pursuant to paragraph (2) shall be in the form of—

- (a) a certificate of prescribed experience; or
- (b) a certificate of equivalent experience; or
- (c) a statement of the grounds (with evidence in support thereof) upon which the practitioner claims exemption from the need to have the prescribed experience by virtue of regulation 5.

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<sup>(6)</sup> O.J. No. L165, 7.7.93, p. 1

<sup>(7)</sup> O.J. No. L921, 24.10.97, p. 35

<sup>(8)</sup> 1983 c. 54 section 22 was amended by S.I. 1996/1591, regulation 6(5) and (6)

<sup>(9)</sup> S.I. 1994/3130

## Exemptions

- 5.—(1) A practitioner shall be exempt from the need to have acquired the prescribed experience—
- (a) if on the 15th February 1981 his name was included on the medical list;
  - (b) if on the 15th February 1981 an application pursuant to Article 56 of the principal Order had not been finally determined, but in consequence of its final determination his name was later included in the medical list<sup>(10)</sup>;
  - (c) if his name was included in the medical list by virtue of his having made an application within 9 years after 15th February 1981 in a case where his name was not included in such a list on 15th February 1981, but had been so included before that day;
  - (d) in respect of an application for his name to be included in the medical list for the provision of general medical services limited to—
    - (i) child health and surveillance services only;
    - (ii) contraceptive services only;
    - (iii) maternity medical services only;
    - (iv) minor surgery services only; or
    - (v) any combination of the services mentioned in paragraphs (i) to (iv);but only if the practitioner's name was included in the medical list on 31st December 1994 for the provision of general medical services limited in a way which included those specified in the application;
  - (e) if he holds a certificate of prescribed experience or a certificate of equivalent experience issued under regulations made under section 32 of the National Health Service Act 1977<sup>(11)</sup> or under section 22 of the National Health Service (Scotland) Act 1978<sup>(12)</sup> or is, by virtue of those regulations, exempt from the need to have acquired the medical experience prescribed by those regulations;
  - (f) if he—
    - (i) is entitled to be registered under section 3 of the Medical Act 1983<sup>(13)</sup> as a fully registered medical practitioner by virtue of subsection (1)(b) or (2) of that section, and
    - (ii) was established in the United Kingdom on 31st December 1994 by virtue of the primary European qualification<sup>(14)</sup> giving rise to that entitlement; or
  - (g) if he holds a vocational training certificate or a certificate of acquired rights issued in an EEA State other than the United Kingdom which must in his case be recognised in the United Kingdom by virtue of the Medical Directive (whether or not as read with the EEA Agreement) or by virtue of any enforceable Community right.
- (2) In this regulation—
- “certificate of acquired rights” means a certificate issued under Article 36(4) of the Medical Directive, to the effect that its holder has an acquired right to practise as a general medical practitioner under the national social security scheme of the issuing State without a vocational training certificate<sup>(15)</sup>;

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<sup>(10)</sup> See S.R. 1979 No. 460, regulation 7

<sup>(11)</sup> 1977 c. 49

<sup>(12)</sup> 1978 c. 29

<sup>(13)</sup> 1983 c. 54. Section 63 was substituted by S.I. 1996/1591, regulation 3

<sup>(14)</sup> See section 17 of the Medical Act 1983, substituted by S.I. 1996/1591 regulation 4

<sup>(15)</sup> See for the issue of certificates of acquired rights by the Joint Committee, S.I. 1994/3130, regulation 5(3)

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“child health surveillance services”, “maternity medical services” and “minor surgery services” have the meaning assigned by regulation 2 of the General Medical Services Regulations;

“contraceptive services” has the meaning assigned by regulation 3(1)(c) of the General Medical Services Regulations;

“EEA agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(16)</sup>;

“EEA State” means a state which is a contracting party to the EEA Agreement; and

“vocational training certificate” means a diploma, certificate or other evidence of formal qualifications awarded on completion of a course of specific training in general medical practice and referred to in Article 30 of the Medical Directive.

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<sup>(16)</sup> Cm. 2183 and O.J. No. L1, 3.1.1994, p. 572