
Council 10 December 2009

The Health Professions Council (Registration and Fees)
(Amendment) Rules 2010

Executive summary and recommendations

Introduction

Assuming that Parliament approves the draft Health Professions (Hearing Aid Dispensers) Order 2009 (which provides for the HPC to regulate hearing aid dispensers from the 1st April 2010), the Council will need to amend the HPC (Registration and Fees) Rules 2003 to provide a registration renewal cycle for hearing aid dispensers.

Draft Rules for that purpose are attached and are currently being considered by lawyers acting for the Privy Council. The proposals in the draft Rules are not contentious and provide for:

1. The initial registration period for hearing aid dispensers to run from 1st April 2010 until 31st July 2010;
2. Thereafter for registration periods to run until 31st July in even numbered years; and
3. for no fee to be payable for the initial registration period from 1st April 2010 until 31st July 2010 (in line with previous practice in respect of other professions coming into regulation).

Decision

To avoid the need to convene a special meeting solely to agree those Rules once the Order has approved (and given that its rule making power cannot be delegated), the Council is asked to:

1. Approve the draft rules in principle;
2. Agree that approval of the Rules in their final form may be given by means of electronic resolution once the Health Professions (Hearing Aid Dispensers) Order 2009 has been approved by Parliament; and subject to the Solicitor to the Council providing a report confirming that either (1) no amendments have been made to the draft Rules or (2) that any amendments which have been made do not constitute material changes to the content of those draft Rules.

Background information

None

Resource implications

None

Financial implications

None

Appendices

The Health Professions Council (Registration and Fees)
(Amendment) Rules 2010 - draft

Date of paper

30 November 2009

The Health Professions Council (Registration and Fees) (Amendment) Rules 2010

The Health Professions Council makes the following Rules in exercise of its powers under articles 7(1), 7(2) and 41(2) of the Health Professions Order 2001, having consulted in accordance with articles 7(1), 7(3) and 41(3) of that Order.

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Health Professions Council (Registration and Fees) (Amendment) Rules 2010 and shall come into force on 1st April 2010.

(2) The Health Professions Council (Registration and Fees) Rules 2003 are amended in accordance with the following provisions of these Rules.

Amendment of rule 10

2. In rule 10 (registration period)—

(a) after paragraph (2A) insert the following paragraph—

“(2B) The first registration period of a hearing aid dispenser who, on 1st April 2010, is admitted to the register by virtue of article 6(3) of the Health Professions (Hearing Aid Dispensers) Order 2009 (transitory and transitional provisions relating to the introduction of registration of hearing aid dispensers by the HPC), will end on 31st July 2010.”, and

(b) in paragraph (3), for “paragraph (2) or (2A)” substitute “paragraph (2), (2A) or (2B)”;

Amendment of Rule 14

3. In rule 14 (registration fee)—

(a) in paragraph (1), for “paragraph (2) and (3)” substitute “paragraphs (2) to (4)”;

(b) after paragraph (3) insert—

“(4) A person—

(a) who, on 1st April 2010, is admitted to the register by virtue of article 6(3) of the Health Professions (Hearing Aid Dispensers) Order 2009 (transitory and transitional provisions relating to the introduction of registration of hearing aid dispensers by the HPC); and

(b) whose first registration period is determined in accordance with rule 10(2B),

shall not be liable to pay a registration fee in respect of that first registration period.”.

Amendment of Schedule 5

In Schedule 5 (registration period)—

- (a) after the entry in the table in respect of Dietitians in column 1 insert “Hearing Aid Dispensers”, and
- (b) opposite that entry, in column 2 insert “31st July in an even numbered year”.

Sealed with the common seal of the Health Professions Council on [DATE].

Anna van der Gaag
President

Marc Seale
Registrar