



STATUTORY INSTRUMENTS.

S.I. No. 208 of 2013

RULES SPECIFYING EXAMINATIONS AND CRITERIA FOR
REGISTRATION IN THE SUPERVISED DIVISION PURSUANT TO
THE MEDICAL PRACTITIONERS (AMENDMENT) ACT 2011

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**Amended rules made by the Medical Council on 17th of May 2013 under
S11(6) of the Medical Practitioners Act 2007**

These rules are made pursuant to the provisions of Section 11 and Section 50A of the Medical Practitioners Act 2007 as amended (“the Act”) for the purpose of establishing criteria and for specifying examinations to be undertaken by applicants applying for registration in the Supervised Division of the Register of Medical Practitioners,

1. Application Process and Assessments for Registration in the Supervised Division

1.1. The registration application process will comprise two levels. All applicants for registration will be required to undergo:

1.2. Level 1: verification of their documentation (which would include but not be limited to) identification, evidence of medical qualifications, a certificate of good standing or a certificate of current professional status and a letter of offer of employment in an individually numbered, identifiable post certified by the Health Service Executive. In addition production of a declaration demonstrating compliance with the requirements of section 50A(5) of the Act as amended, will be required. This declaration (which the Council requires to be signed by the CEO (or equivalent) of the hospital/clinical site and the Clinical Supervisor) is attached as Appendix 1 to these rules. Wherein any information on the declaration changes, an updated and signed declaration must be provided to the Medical Council without delay by the CEO (or equivalent).

1.3 Level 2: comprising an examination of knowledge referred to as the Pre-Registration Examination System (“the PRES”) Level 2.

1.4. In order to be admitted to Level 2 candidates must apply for Level 2 by a specified date and in a manner specified by the Medical Council and pay the appropriate fee.

2. Attempts

2.1. Candidates will be allowed a maximum of three attempts to pass Level 2.

3. Exemption from examination at Level 2

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 25th June, 2013.*

3.1. An applicant may be considered for exemption from examination at Level 2 on the following grounds:

3.2. The applicant has passed an examination specified in rules made under section 11 referred to as Pre-Registration Examination System (“the PRES”) OR

3.3. The applicant has been awarded a qualification arising from the satisfactory completion of a programme of basic medical education and training approved under section 88(2)(a)(i)(I) of the Act and has been awarded a certificate of experience within the meaning of section 49(2) of the Act OR

3.4. The applicant is a national of a Member State who has been awarded a qualification in medicine or a certificate of acquired rights by a competent body or authority designated for that purpose by a Member State, pursuant to Directive 2005/36/EC OR

3.5. The applicant would have met the requirements of section 46(b)(iii) of the Act if they were a national of a Member State OR

3.6. Subject to rules made under section 11 applicable to sections 46(b)(iv), sections 48(2)(c) and 48(3)(c) of the Act, has been granted a document which, in the opinion of the Council, is at least the equivalent of a certificate of experience OR

3.6.1. The applicant has been awarded a postgraduate qualification which in the opinion of the Council is at least equivalent to one or more of the qualifications set out in Appendix 2 hereto AND EITHER

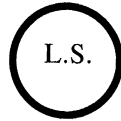
3.6.1.1. has completed an internship of a minimum of one year supervised practise (to include at least three months in medicine and three months in surgery) OR

3.6.1.2. has completed a minimum of three years in an accredited training programme.

4. Registration on Passing the Examination

4.1. Once an applicant has passed Level 1 and Level 2, he/she will be registered in the Supervised Division in a supervised post.

THESE RULES COMMENCED ON THE 17th DAY OF MAY 2013



GIVEN under the Official Seal of the Council
17 May 2013.

PROFESSOR KIERAN MURPHY,
President of the Medical Council.

MS CAROLINE SPILLANE,
Chief Executive Officer of the Medical Council.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

This Memorandum is not part of the Rules and does not purport to be a legal interpretation of the Rules.

Any Reference to the Medical Practitioners Act 2007 includes the amendment of that Act by the Health (Miscellaneous Provisions) Act 2007 and any subsequent amendments.

The definition of EU Directive 2005/36/EC of the European Parliament and of the Council which is provided for in section 2 of the Medical Practitioners Act 2007 includes the amendment of that Directive by Council Directive 2006/100/EC and any subsequent amendments.

In this document, the provisions of section (2) of the Medical Practitioners Act 2007 will apply except where the context otherwise requires.

In this document, the provisions of Article 3 and other relevant definitions contained within EU Directive 2005/36/EC will apply except where the context otherwise requires.

These rules were adopted by the Medical Council and will commence on 17th of May 2013.

APPENDIX 1 — S 50A DECLARATION

This is a declaration pursuant to Section 50A of the Medical Practitioners (Amendment) Act 2011, and in particular sub-sections 4 and 5.

I hereby confirm and declare that:

(Please tick each box to indicate you have read it and are including it in your declaration)

	(a)	Dr (<i>Insert Full Name of Doctor</i>) has been offered a post in (<i>Insert Hospital Name</i>) hospital in (<i>Insert Specialty</i>) as a (<i>SHO/Registrar — Insert appropriate grade</i>) grade.
	(b)	I enclose a copy of his/her terms and conditions of employment with (<i>Insert Hospital Name</i>) hospital.
	(c)	I understand that this declaration will be used by the Medical Council to approve the post and as part of Dr (<i>Insert Full Name of Doctor</i>) application process for registration in a supervised post in the Supervised Division of the register of medical practitioners.
	(d)	The post in (<i>insert Hospital Name</i>) hospital is a (<i>SHO/Registrar — select appropriate grade</i>) post and is an individually numbered, identifiable post certified by the Health Services Executive.
	(e)	The hospital needs to employ Dr (<i>Insert Full Name of Doctor</i>) because *:
	(f)	The rationale for the designation of the post as (<i>SHO/Registrar — Insert appropriate grade</i>) grade is *:
	(g)	The duties that Dr (<i>Insert Full Name of Doctor</i>) will have to perform in the post are*:
	(h)	The supervision arrangements to supervise Dr (<i>Insert Full Name of Doctor</i>) are *:
	(i)	The supervisor(s) for Dr (<i>Insert Full Name of Doctor</i>), who is/are consultant(s) on the Specialist Division, is/are *:
	(j)	The arrangements that are in place to supervise Dr (<i>Insert Full Name of Doctor</i>) if and when he/she works out of hours are the following *:
	(k)	Dr (<i>Insert Full Name of Doctor</i>) will not practice medicine other than in the post named at (d) above.
	(l)	The duties to be performed by the above doctor in the post named in (f) commensurate both with that doctor's experience and with the level of seniority of the post.
	(m)	The supervision arrangements to meet (b), (e), (f), (g), (h), (i) and (j) above have been established and are in place.
	(n)	Recruitment to the post includes assessment to ensure that the doctor has effective communication skills commensurate with the post.
	(o)	The post is situated in a clinical setting aligned with effective workforce planning and subject to appropriate management systems.
	(p)	This clinical setting provides for comprehensive orientation and induction programmes.
	(q)	The post is situated in a clinical setting which is subject to effective clinical governance, leadership and management systems.
	(r)	Policies, procedures, protocols, and guidelines are in place to identify and address concerns about a doctor's fitness to practice.
	(s)	Systems are in place to facilitate the doctor to maintain their professional competence pursuant to the professional competence scheme applicable to them

	(t)	I will inform the Medical Council in writing and without delay of any changes to the arrangements above, including termination of the employment by the Hospital or the doctor, attaching an updated copy of this form as relevant
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Signed on behalf of the Employer by:—

.....

Chief Executive Officer (Insert Hospital Name) (or equivalent)

* For these questions the employer needs to set out in sufficient detail for the Council to satisfy itself in relation to the following matters:

- (i) the nature and seniority of the post,
- (ii) the duties to be performed,
- (iii) the supervision proposed.

In respect of the above doctor and post, I hereby confirm and declare that:

	(u)	I will act as the Clinical Supervisor referenced at point (i)
	(v)	The arrangements at points (j)-(s) are established for the supervision of the medical practitioner to which they apply for the performance of his or her duties in the post and will be supervised by me.
	(w)	I will complete Supervision Reports in respect of the above doctor at 3 months, at six months and thereafter on a six-monthly basis in a form specified by the Medical Council and will provide a copy of these reports to the above doctor. Where the Supervision Report identifies a concern regarding the doctor's continuing practice under supervisory arrangements, will also provide a copy of the report to the Chief Executive or Equivalent. I will make these reports available upon request to the Medical Council.

Signed by:—

.....

Clinical Supervisor (Insert Hospital Name)

Appendix 2 — List of qualifications providing exemption from Level 2

Specialty	Higher Qualifications
Anaesthesia	<ul style="list-style-type: none"> • Fellow of the College of Anaesthetists RCSI (FCA RCSI (formerly FFARCSI)) • Primary Examination of the College of Anaesthetists of Ireland (OQE) • Fellow of the Royal College of Anaesthetists (UK) • Fellow of the Faculty of Anaesthetists of South Africa • Fellow of the Australian & New Zealand College of Anaesthetists • Fellow of the Canadian College of Anaesthetists • American Boards in Anesthesiology • American Boards in Critical Care Medicine • Fellow of the College of Intensive Care Medicine of Australia and New Zealand • Overseas Qualifying Examination in Anaesthesia of the College of Anaesthetists of Ireland • Primary Examination of the Royal College of Anaesthetists (UK) • Fellow of the College of Physicians & Surgeons of Pakistan (taken after 1998)
Occupational Medicine	<ul style="list-style-type: none"> • Member of the Faculty of Occupational Medicine of the Royal College of Physicians of Ireland (MFOM) • Fellow of the Faculty of Occupational Medicine of the Royal College of Physicians of Ireland (FFOM) • Licentiate of the Faculty of Occupational Medicine of the Royal College of Physicians of Ireland (LFOM) • Membership of the Faculty of Occupational Medicine, Royal College of Physicians (London) • American Board Certification in Occupational Health • American Board of Preventive Medicine • Certificate of the Canadian Board of Occupational Medicine • Fellow of the Australasian College of Occupational & Environmental Medicine
Pathology	<ul style="list-style-type: none"> • Fellow of the Faculty of Pathology Royal College of Physicians of Ireland (FFPath RCPI) • MRCPPath (UK) • Fellowship of the Royal College of Pathologists of Australasia (FRCPA) • American Board Certification in Pathology (ASCP)
Obstetrics & Gynaecology	<ul style="list-style-type: none"> • Member of the Institute of Obstetricians and Gynaecologists of the Royal College of Physicians of Ireland (MRCPI Ob&Gyn) • Membership of the Royal College of Obstetricians & Gynaecologists (MRCOG) (UK) • Membership of the Royal Australian and/or New Zealand College(s) of Obstetricians & Gynaecologists (MRACOG / MRNZCOG / MRANZCOG) • Fellowship of the Royal College of Surgeons of Canada (O&G) • Fellowship of the College of Obstetricians & Gynaecologists of South Africa (FCOG (SA)) • Current Certification by the American Board of Obstetrics & Gynaecology
Paediatrics	<ul style="list-style-type: none"> • Member of the Faculty of Paediatrics of the Royal College of Physicians of Ireland (MRCPI Medicine of Childhood) • Membership of the Royal College of Paediatrics and Child Health (MRCPCH) • American Board in Paediatrics
Medicine	<ul style="list-style-type: none"> • Member of the Royal College of Physicians of Ireland (MRCPI) • Fellow of the Royal College of Physicians of Ireland (FRCPI) • MRCP (London) MRCP (Glasgow) MRCP (Edinburgh) MRACP (Australia) FRCP(C) (Canada) FCP(SA) (South Africa) American Board in General (Internal) Medicine • The UK Diploma in Intensive Care Medicine (DICM) • The European Diploma in Intensive Care Medicine Part 2

Specialty	Higher Qualifications
Surgery	<ul style="list-style-type: none"> • Fellow of the Royal College of Surgeons in Ireland (FRCSI) • Collegiate Member of the Royal College of Surgeons in Ireland (MRCSI(C)) • Intercollegiate Member of the Royal College of Surgeons in Ireland (IMRCSI) (must be accompanied by an original/certified copy Certificate of Completion of Basic Surgical Training (CCBST)) • Associate Fellow of the Royal College of Surgeons in Ireland (AFRCSI) • Fellow of the Royal College of Surgeons of Edinburgh • Fellow of the Royal College of Surgeons & Physicians of Glasgow • Fellow of the Royal College of Surgeons of England (London) • Fellow of the Royal College of Medicine of South Africa • Fellow of the Royal Australasian College of Surgeons • Fellow of the Royal College of Surgeons of Canada (Surgery) • American Board Certification
Emergency Medicine	<ul style="list-style-type: none"> • Membership/Fellowship of the College of Emergency Medicine (MCEM/FCEM) (UK) [Irish trainees are required to sit these BST/HSE exit exams] • Fellowship of the Royal College of Surgeons of Edinburgh (in Accident and Emergency Medicine and Surgery) (FRCSEd (A&E)) • Fellowship of the Australasian College of Emergency Medicine (FACEM) • Diplomate of the American Board of Emergency Medicine (ABEM) • Fellowship of the Royal College of Physicians and Surgeons of Canada (FRCPC) • Exit examination in Emergency Medicine of the Hong Kong College of Emergency Medicine
Radiology	<ul style="list-style-type: none"> • Fellow of the Faculty of Radiologists Royal College of Surgeons in Ireland (FFR RCSI) • Fellow of the Royal College of Radiologists (FRCR) (UK) • American Board of Radiology • Fellowship of the Royal College of Physicians and Surgeons of Canada (FRCPC) — Division of Radiology or Radiation Oncology General Practice
General Practice	<ul style="list-style-type: none"> • Membership of the Irish College of General Practitioners (MICGP) • Fellow of the Royal Australian College of General Practitioners (FRACGP) • Member of the Royal College of General Practitioners (MRCGP)
Psychiatry	<ul style="list-style-type: none"> • Member of the Royal College of Psychiatry (UK) (MRCPsych) • The American Board of Psychiatry and Neurology • Fellowship of the Royal Australian and New Zealand College of Psychiatry
Non-specialty specific	<ul style="list-style-type: none"> • Professional and Linguistic Assessments Board (PLAB) • United States Medical Licensing Examination (USMLE) • Australian Medical Council Examination • Licentiate of the Medical Council of Canada • Medical Council of New Zealand Registration Examination (NZREX)

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52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€3.05



Wt. (B29915). 285. 6/13. Clondalkin. Gr 30-15.