STATUTORY INSTRUMENTS

2015 No. 400

HEALTH CARE AND ASSOCIATED PROFESSIONS

The Professional Standards Authority for Health and Social Care (Fees) Regulations 2015

Made - - - -	*26th February 2015*
Laid before Parliament	*27th February 2015*
Laid before the Scottish Parliament - - - -	*27th February 2015*
Coming into force - -	*1st April 2015*

At the Council Chamber, Whitehall the 26th day of February 2015

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

The Privy Council makes the following Regulations in exercise of the powers conferred by sections 25A(1), (3), (10) and (11) and 38(5) and (7) of the National Health Service Reform and Health Care Professions Act 2002(**1**).

In accordance with section 25A(12) of that Act, the Privy Council has consulted the Professional Standards Authority for Health and Social Care, the regulatory bodies(**2**) and those other persons which it considers appropriate to consult.

Citation, commencement and interpretation

1.—(1) These Regulations—

(a) may be cited as the Professional Standards Authority for Health and Social Care (Fees) Regulations 2015;

(b) come into force on 1st April 2015.

(2) In these Regulations—

(**1**) 2002 c. 17. Section 25A was inserted by section 224 of the Health and Social Care Act 2012 (c. 7) ("the 2012 Act"). Section 38 was also amended by sections 224 and 225 of the 2012 Act by, *inter alia*, insertion of subsection (3A).

(**2**) The regulatory bodies are those referred to in section 25 of the National Health Service Reform and Health Care Professions Act 2002.

"amended fee notice" means a fee notice amended to reflect a periodic fee re-determined pursuant to regulation 7;

"Bank of England base rate" means—

(a) the rate announced from time to time by the Monetary Policy Committee of the Bank of England as the official dealing rate, being the rate at which the Bank is willing to enter into transactions for providing short term liquidity in the money markets; or

(b) where an order under section 19 of the Bank of England Act 1998(**3**) is in force, any equivalent rate determined by the Treasury under that section;

"chargeable period" means the period specified in regulation 2(2);

"due date" is the date determined in accordance with regulation 6(3);

"fee notice" has the meaning given in regulation 6(1);

"periodic fee" refers to a fee which is payable by a regulatory body by virtue of regulation 2;

"registrant" means a person whose name appears on a register maintained by the regulatory body which has responsibility for regulating the profession to which that person belongs, other than a register established and maintained pursuant to section 25D.

(3) In these Regulations references to numbered sections and parts of sections are references to so numbered sections and parts of sections of the National Health Service Reform and Health Care Professions Act 2002.

Obligation on regulatory bodies to pay fees

2.—(1) Each regulatory body(**4**) must pay the Authority, in respect of the chargeable period, a periodic fee of an amount determined or, as the case may be, re-determined, by the Privy Council in respect of the Authority's functions in relation to it.

(2) The chargeable period commences on 1st April and ends on the following 31st March: but the first chargeable period commences on 1st August 2015 and ends on 31st March 2016.

Functions in respect of which a periodic fee is payable

3. The functions of the Authority in respect of which each regulatory body must pay a periodic fee to it are—

(a) those under—

(i) subsection (2) of section 25 (the Professional Standards Authority for Health and Social Care)(**5**);

(ii) subsection (5) of section 25A (funding of the Authority);

(iii) subsection (1)(a) of section 25B (power of the Authority to advise regulatory bodies etc)(**6**), but only to the extent that fees are not payable in respect of the performance of such functions under subsection (2) of that section;

(iv) subsection (2)(a) of section 25C (appointments to regulatory bodies)(**7**);

(v) subsections (1) and, to the extent that subsection (2A) does not apply, (2) of section 26 (powers and duties of the Authority: general)(**8**);

(**3**) 1998 c. 11.
(**4**) A "regulatory body" means a body referred to in section 25(3) of the 2012 Act.
(**5**) Subsection (2) was amended by sections 223 and 230 of, and paragraph 62 of Part 3 of Schedule 15 to, the 2012 Act.
(**6**) Section 25B was inserted by section 225 of the 2012 Act.
(**7**) Section 25C was inserted by section 227 of the 2012 Act.
(**8**) Section 26 was amended by sections 229 and 230 of, and paragraphs 62 and 63 of Part 3 of Schedule 15 to, the 2012 Act and section 115 of the Health and Social Care Act 2008.