



Te Kaunihera  
Rata o  
Aotearoa

**Medical  
Council of  
New Zealand**

## **Memorandum of understanding between the Medical Council of New Zealand and [college]**

### **Purpose**

This memorandum of understanding (MoU) between the Medical Council of New Zealand (Council), and [college] (the College) commits us to work together, jointly and collaboratively, in relation to ensuring doctors are safe and competent to practise, and the public is protected.

The ways in which we will work together are set out in this MoU.

### **Shared values and principles**

We each have our own unique values reflecting our purposes. However, there are common principles shared by us all. We remain committed to the principles of te Tiriti o Waitangi: tino rangatiratanga; equity; active protection; options; and partnership. We work together in the spirit of these shared values, including respect, openness, commitment, and in pursuit of enhancing patient safety. As far as is reasonably possible, we adopt a ‘no surprises’ approach.

### **Legal and policy setting**

This MoU is set within the framework of New Zealand legislation, including the Health Practitioners Competence Assurance Act 2003 (HPCAA) and the Privacy Act 2020, and Council policy and accreditation standards.

This MoU sits alongside existing legal and professional duties and obligations set out in legislation and in professional standards set by Council.

Council is under a statutory obligation to make decisions promptly. Council is committed to providing the College information at the earliest opportunity. For matters relating to individual doctors, the College carries these out in line with our shared values and the timeframes agreed in this MoU.

Timeframes are described in further detail in the relevant sections and appendices.

### **Respective roles and responsibilities**

Council and the College have different roles and responsibilities. Where relevant, these are described below, in the context of this MoU.

Council is the statutory body, under the HPCAA, responsible for the regulation of doctors. Council:

- defines scopes of practice and prescribed qualifications
- makes decisions regarding whether to register or issue practising certificates to doctors
- accredits training programmes and recertification programmes

- sets standards for the profession.

The College is a membership and professional education body. Medical colleges:

- deliver vocational training programmes
- deliver recertification programmes
- provide guidance for the specialty or specialties
- support Fellows, trainees and members
- advocate for their specialty or specialties
- set standards for specific training sites.

When the College is delivering a vocational training programme, providing advice in relation to a doctor applying for registration in a provisional vocational scope of practice, or providing a recertification programme, it is doing so as an agent of Council. The HPCAA protects agents from criminal and civil liability in respect of any act done or omitted in the course of exercising duties under the HPCAA, as long as it is done in good faith and with reasonable care.

## **Areas for collaboration and information sharing**

Areas we collaborate on and share information about include:

- development and consultation on scopes of practice and the prescribed qualifications
- standards for the profession
- regulatory strategy and policy development
- recertification programmes
- educational programmes
- standards for vocational training programmes
- strategic communications with doctors and the sector on matters of mutual interest
- applications for registration within a provisional vocational scope of practice
- when there are concerns about a doctor's practice, conduct or health.

## **Annual meetings**

Council will lead and coordinate two meetings with colleges each year:

- a meeting focused on strategic matters of importance for key office-bearers from each college (for example, presidents, chairs, and New Zealand chairs)
- a meeting to discuss executive and operational matters, including this MoU, for college executive leadership.

Colleges and Council have a responsibility to highlight areas for collaboration and discussion in advance of these meetings.

## **Principal contacts**

We jointly maintain a list of key contacts.

## **When issues arise**

We approach resolving issues in the context of our shared endeavour and values. We commit to raising issues in a timely manner. Our aim is to resolve issues at the most appropriate operational level.

Issues may be escalated to senior executive level for input and advice if they are unable to be resolved.

## **Duration and review**

This MoU will be reviewed commencing July 2025.

## **Publication of document**

In the interest of transparency to doctors, our stakeholders and the public, this MoU will be published on Council's and the College's websites.

## **Vocational training programme participation**

Doctors registered and practising in the General scope of practice must participate either in an accredited college vocational training programme or in the *Inpractice* recertification programme (or be otherwise exempt).

To provide assurance that doctors are participating appropriately, Council requires information about doctors participating in a college vocational training programme.

The College will provide Council with a report either:

- quarterly (or more frequently, if the college wishes) for doctors who join, leave or pause (for 3 months or longer) participation in the training programme; or
- annually, promptly after admission for those joining (an annual admission process) and quarterly, or on occurrence for those who join, leave or pause (for 3 months or longer) the training programme, out of cycle.

Council will notify the College if it becomes aware of a doctor pausing (for 3 months or longer) or leaving the training programme.

Council is able to, at the College's request, provide a report of doctors who Council has recorded as participating in the College's training programme.

## **Confirmation of holding Fellowship**

Council needs to receive confirmation from the College when a doctor has been awarded the Fellowship of that college for registration in the relevant vocational scope of practice.

The College will notify Council when awarding Fellowship to a New Zealand doctor, within 10 working days.

## **Assessment of doctors' qualifications, training and experience**

Council relies on the advice it receives from colleges to inform its decisions on eligibility for registration in a provisional vocational scope of practice. Conclusions in the advice must be robust, defensible and well-reasoned.

A doctor may ask Council to review any proposed decision made by Council. They may ultimately appeal Council decisions to the District Court. This appeal is taken against the Council decision and not against a college.

The College will:

- assess the equivalence of a doctor’s qualifications, training and experience to that of a New Zealand vocationally-trained doctor registered in the same vocational scope of practice
- provide written advice to Council on the doctor’s equivalence, in the requested format, including clearly explaining the reasons for the assessment
- provide advice on the requirements a doctor should meet to be eligible for registration in a vocational scope of practice.

The College will establish processes to carry out the above. These processes should align with Council’s policy and guidance on the assessment of overseas-trained specialists.

Council will:

- ensure that the colleges receive full documentation for any applications
- ensure that applicants are fully aware of the information required by colleges to undertake an assessment
- set policy and guidance, and provide appropriate support to colleges, on the assessment of doctors’ qualifications, training and experience.

### Timeframes

The College will provide advice following:

a request for a paper-based assessment (preliminary advice)	within 6 weeks
a request for an interview assessment (interview advice)	within 4 months

If a doctor declines an offered interview date, the College will notify Council, and the timeframe will be extended, by agreement.

Further detail on the assessment of qualifications, training and experience, including further commitments for Council and the College, is set out in *Section 2.2: Applications for registration in a provisional vocational scope of practice*.

### Vocational practice assessments

A VPA is a one-day assessment carried out by two Council-appointed assessors, with the advice of the relevant college, using a range of assessment tools tailored to the doctor’s scope of practice. A VPA provides assurance to the Council that the doctor is safe and competent to practice independently.

A VPA is Council’s preferred method of assessment at the end of the doctor’s period of supervision while registered in a provisional vocational scope of practice, unless agreement has been reached about an alternative assessment for a particular vocational scope of practice, between the College and Council.

Council recognises the expertise of colleges in developing assessments for doctors in their scopes of practice and is committed to engaging with the colleges regarding assessment tools.

The College will provide advice on suitable assessors for vocational practice assessments.

Further detail on VPAs, including further commitments for Council and the College, is set out in *Section 2.3: Vocational practice assessments*.

**Recertification programme compliance**

Council sets the high-level requirements for recertification programmes and accredits providers of those programmes. The colleges are given flexibility to develop their programmes or the specific activities doctors must undertake as appropriate to their scope of practice. As a result, the colleges have clear responsibility to ensure that the programmes are relevant to participants.

While doctors have a legal obligation to Council to satisfy the programmes set by colleges, the authority that a college has to set programmes carries with it obligations on that college. That is, to identify early, through engagement and monitoring, any instances of doctors not satisfying the set requirements and to work with those doctors to remedy that.

In that context the College will:

- effectively monitor participants’ compliance with their requirements
- support and encourage doctors who are failing to satisfy requirements to re-engage and comply
- inform Council when, despite college efforts to achieve re-engagement and compliance, the doctor continues to fail to satisfy the requirements.

Colleges will also inform Council when a doctor withdraws from a recertification programme and the reason why, including if they are on parental leave, retiring, or non-compliant.

Colleges may seek advice from Council staff as need be around management of the recertification programme and thresholds for reporting non-compliance.

**Fees for service**

Council will pay fees to the College for specified activities the College completes (in particular providing advice on overseas-trained specialists).

Council’s methodology for fees is based on activity-based costing. Council publicly consults on proposed changes to fee levels (other than inflationary increases). Council commits to engaging with colleges as key stakeholders for such consultations.

Further details on fees is set out in *Section 2.5: Fees payable by Council.*

**Signatories**

Joan Simeon, CEO  
Te Kaunihera Rata o Aotearoa | Medical Council of New Zealand

.....  
Date signed

[college CEO]  
College name

.....  
Date signed

## **Section 2: Further detail on specific areas of collaboration**

- Section 2.1: Nominated key contacts
- Section 2.2: Applications for registration in a provisional vocational scope of practice
- Section 2.3: Vocational practice assessments
- Section 2.4: Recertification programme compliance
- Section 2.5: Fees payable by Council
- Section 2.6: Related documents

### **Section 2.1: Nominated key contacts**

Council and the College will provide the name and contact details for:

- Chairs (for colleges, the board chair, and for Australasian colleges, the chair of the New Zealand committee or equivalent)
- Chief executives (and for Australasian colleges, the senior manager in New Zealand).

Council and the College will nominate contacts and provide email addresses and phone numbers for (where appropriate):

- accreditation
- provisional vocational registration
- vocational practice assessments
- recertification compliance
- training programme participation
- confirmation of holding Fellowship
- finance/fee matters.

### **Section 2.2: Applications for registration in a provisional vocational scope of practice**

Council is responsible for determining whether an applicant is fit for registration (including meeting English language requirements) and competent to practise in the scope applied for. Council does not require the advice of the College on these points.

The College will:

- assess the equivalence of a doctor's qualifications, training and experience to that of a New Zealand vocationally-trained doctor registered in the same vocational scope of practice
- provide written advice to Council on the doctor's equivalence, in the requested format, including clearly explaining the differences/shortcomings in the doctor's training, qualification and experience when this may be the case and reasons for the assessment
- provide this advice based on the documentation, or having interviewed the doctor, at the request of Council
- provide advice on the requirements a doctor should satisfy to be eligible for registration in a vocational scope of practice
- provide advice on the suitability of proposed position and supervision arrangements
- if requested, re-evaluate based on additional information provided by the applicant
- if requested, comment on a submission the applicant is making to Council (for example, following a proposed decision to decline an application)
- provide advice that complies with Council policy.

The College will establish processes to carry out the above. These processes should align with Council’s policy and guidance on the assessment of overseas-trained specialists.

Prior to Council granting registration in a provisional vocational scope, the College should not communicate with applicants or other interested parties (for example, recruiters, employers or supervisors), other than in relation to organising the interview. The College should not share the advice or justify its advice directly to applicants or others.

While the College may wish to encourage applicants to join a pathway to Fellowship, this is a separate process to gaining registration in a vocational scope of practice or subsequently enrolling and participating in the relevant recertification programme. The College will not communicate to a doctor its decision regarding a pathway to Fellowship before Council has communicated its decision on the provisional vocational application.

Council will:

- provide the applicant’s documentation to the College
- set policy and guidance and provide appropriate support to colleges on this aspect of the work
- advise the College of decisions and proposed decisions made, at the time the decision or proposed decision is made
- where it proposes to decline an application following advice from the College and the doctor makes written submissions, seek the College’s comment on those submissions
- inform the College where Council has made a decision other than that recommended by the college including the reasons for Council’s decision, at the time the decision is made
- provide feedback on advice received from the College, and meet at the College’s request to discuss particular applications or policy or process matters.

**Timeframes**

Colleges will, following Council making a request:

provide advice following a paper-based assessment (preliminary advice)	within 6 weeks
provide advice following interview (interview advice)	within 4 months
will make initial contact with the applicant to organise an interview	within 2 weeks
provide advice following a request for re-evaluation	within 6 weeks
provide advice on a doctor’s submission following Council’s proposal to decline their application	within 4 weeks
provide advice on the suitability of position and supervision arrangements	within 2 weeks

**Section 2.3: Vocational practice assessments**

Where a VPA has been required by Council, the College will:

- assist with recruitment of and provide advice on suitable assessors for vocational practice assessments
- assist with developing and reviewing the tools for vocational practice assessments, based on best-practice workplace-based assessments in the relevant area of medicine.

Council will review its tools for VPAs on a regular basis, seeking input from the College as appropriate.

## Timeframes

After receiving a request from Council, the College will:

- provide advice on the suitability of assessors within 10 working days
- recommend additional assessors within 6 weeks.

Where another form of assessment has been agreed then the Council and the College will work together to give effect to that assessment.

## Section 2.4: Recertification programme compliance

Council audits recertification programme compliance with the assistance of recertification providers. The relevant accreditation standards require the College to have a system to monitor whether participants are meeting programme requirements, a process for encouraging re-engagement and compliance when participants are disengaged or failing to satisfy requirements, and a process for informing Council if a participant fails to re-engage or comply.

When requested by Council, the College will confirm a doctor's participation status within 10 working days.

Council is able to, at the College's request, provide a report of practising doctors who Council has recorded as required to participate in the College's recertification programme.

The College can use this information to identify and advise Council of any non-participation.

## Section 2.5: Fees payable by Council

Council's methodology for fees is based on activity-based costing. Council publicly consults on proposed changes to fee levels (other than inflationary increases). Council considers colleges as key stakeholders and commits to consulting with the College around any proposed changes that will impact the College.

All Council fees are adjusted by inflation each year. In addition, Council will undertake a review of College advice fees every three years.

Council is committed to prompt payment of suppliers.

Council pays a fee for advice based on the date Council makes its request for advice for an IMG applying for provisional vocational registration, rather than the date advice is received.

Council will:

- provide invoicing instructions in the email requesting the specific advice
- pay invoices within 1 month of receipt of the advice and invoice.

Council will *not* pay an invoice received more than 3 months after the service (the relevant written advice) is provided.

The College will:

- invoice Council promptly (within 6 weeks) of providing advice.



Fees (all in New Zealand dollars, excluding GST) are:

Fee category	From 1 July 2021
Assessment of documents (preliminary advice)	\$1,650
Interview with college	\$3,900
Re-evaluation	\$1,200
Comment on submission made in response to a proposal to decline (new fee category from 1 March 2021 onwards)	\$750
Advice on suitability of position & supervision arrangements	\$200

## Section 2.6: Related documents

- [Policy on registration within a provisional vocational scope of practice – Doctors who do not hold the approved Australasian or New Zealand postgraduate medical qualification](#)
- [Policy on vocational practice assessments](#)
- [Standards for Assessment and Accreditation of Specialist Medical Programs and Professional Development Programs by the Australian Medical Council 2015](#) (for Australasian colleges)
- [Accreditation standards for New Zealand training providers of vocational medical training and recertification programmes](#) (for New Zealand colleges)
- [Notice in the New Zealand Gazette: Fees payable to Te Kaunihera Rata o Aotearoa | Medical Council of New Zealand from 1 July 2021](#)