STATUTORY RULES OF NORTHERN IRELAND

2015 No. 26

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (General Medical Services Contracts) (Amendment) Regulations (Northern Ireland) 2015

Made - - - -	*30th January 2015*
Coming into operation	*23rd February 2015*

The Department of Health, Social Services and Public Safety(**1**) in conjunction with the Department of Finance and Personnel, makes the following Regulations in exercise of the powers conferred by Articles 57A, 57E, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (General Medical Services Contracts) (Amendment) Regulations (Northern Ireland) 2015 and shall come into operation on 23rd February 2015.

(2) In these Regulations "the principal Regulations" means the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004(**3**).

Amendment of regulation 2 to the principal Regulations

2. In regulation 2 (interpretation), insert the following definition in the appropriate place—

"regulation 24 category of visitor" means any person to whom regulation 24 of the Provision of Health Services to Persons not Ordinarily Resident Regulations (Northern Ireland) 2015(**4**) applies;"

Amendment of Schedule 5 to the principal Regulations

3.—(1) Schedule 5 (other contractual terms) to the principal Regulations shall be amended as provided in paragraphs (2) to (6).

(**1**) See S.I. 1999/283 (N.I. 1) Article 3(6).
(**2**) S.I. 1972/1265 (N.I. 14). Articles 57A and 57E were inserted by S.I. 2004/311 (N.I. 2), Article 4.
(**3**) S.R. 2004 No. 140. As amended by S.R 2004 No. 477, S.R. 2005 Nos.230 and 368, S.R. 2006 No. 319 and S.R.2013 Nos. 59 and 301.
(**4**) S.R. 2015 No. 27

(2) In paragraph 15A (application to the contractor for regulation 15 (3) and (5) services), for sub-paragraph (4) substitute—

"(4) A contractor who accepts an application under sub-paragraph (1) shall notify—

(a) the applicant (or, in the case of a child or incapable adult, the person making the application on their behalf) of the acceptance; and

(b) the Board, in writing, of the acceptance

as soon as is practicable."

(3) After paragraph 15A (application to the contractor for regulation 15 (3) and (5) services) insert—

"**Application for inclusion in a list of patients by a regulation 24 category of visitor**

15B.—(1) The contractor may, if his list of patients is open, accept an application for inclusion in his list of patients made by or on behalf of a regulation 24 category of visitor.

(2) Subject to sub-paragraph (3), an application under sub-paragraph (1) shall be made by delivering to the practice premises a medical card or an application made in writing, signed by the applicant or a person authorised by the applicant to sign on their behalf.

(3) An application under sub-paragraph (1) may be made—

(a) on behalf of any child by either parent, or in the absence of both parents, the guardian or other adult who has care of the child; or

(b) on behalf of any adult who is incapable of making such an application, or authorising such an application to be made on their behalf, by a relative or the primary carer of that person.

(4) Nothing in this paragraph obliges a contractor to accept an application under sub-paragraph (1) during a period of 14 days beginning with the date on which the contractor receives that application.

(5) A contractor who accepts an application under sub-paragraph (1) for inclusion in the contractor's list of patients shall notify the Board in writing as soon as is practicable.

(6) On receipt of a notice under sub-paragraph (5), the Board shall—

(a) include that person in the contractor's list of patients from the date on which the notice is received; and

(b) notify the applicant (or, in the case of a child or incapable adult, the person making the application on their behalf) of the acceptance.".

(4) In paragraph 16(1) (temporary residents) after the words "a person", insert "who is ordinarily resident in Northern Ireland".

(5) Paragraph 17 (refusal of applications for inclusion in the list of patients or for acceptance as a temporary resident) shall be amended as provided in the following paragraphs—

(a) substitute the heading with "**Refusal of applications under paragraph 15, 15A, 15B or 16**";

(b) In sub-paragraph (1), after the words "paragraph 15" insert ", 15A, 15B";

(c) In sub-paragraph (2), after the words "paragraph 15" insert "or 15B";

(d) In sub-paragraph (3), after the words "paragraph 15" insert ", 15A, 15B";

(e) In sub- paragraph(4), after the words "paragraph 15" insert ", 15A and 15B".

(6) After paragraph 32A (assignment of a person to a contractor for regulation 15(3) and (5) services), insert—