STATUTORY RULES OF NORTHERN IRELAND

2006 No. 319

HEATH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (Primary Medical Services) (Miscellaneous Amendments) Regulations (Northern Ireland) 2006

Made - - - -	*25th July 2006*
Coming into operation	*15th August 2006*

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred upon it by Articles 15C (1) (b) (iii), 57B, 57E, 57F, 57G, 106 and 107 (6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**2**)and Article 8(6) of the Health and Personal Social Services (Northern Ireland) Order 1991(**3**) and all other powers enabling it in that behalf, in conjunction with the Department of Finance and Personnel, hereby makes the following Regulations:

PART 1

GENERAL

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Primary Medical Services) (Miscellaneous Amendments) Regulations (Northern Ireland) 2006 and shall come into operation on 15th August 2006.

(2) In these regulations —

"GMS Contracts Regulations" means the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004 (**4**);

"Performers Lists Regulations" means the Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004(**5**)

(**1**) See S.I. 1999/283 (N.I. 1) Article 3(6)
(**2**) S.I. 1972/1265 (N.I. 14) relevant amending instrument is S.I. 2004/311 (N.I. 2)
(**3**) S.I. 1991/194 (N.I. 1)
(**4**) S.R. 2004 No. 140; to which there are amendments not relevant to these regulations.
(**5**) S.R. 2004 No. 149

PART 2

AMENDMENT OF THE GMS CONTRACTS REGULATIONS

Amendment of regulation 2 of the GMS Contracts Regulations

2. In regulation 2 (Interpretation) of the GMS Contracts Regulations—

(a) in the definition of "immediate family member", after "spouse" insert "or civil partner";

(b) in the definition of "independent nurse prescriber", for sub-paragraph (c) substitute the following sub-paragraph—

"(c) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a community practitioner nurse prescriber, a nurse independent prescriber or as a nurse independent/supplementary prescriber;";

(c) in the definition of "prescriber", after sub-paragraph (a) insert the following sub-paragraph —

"(aa) a pharmacist independent prescriber,";

(d) insert the following definition at the appropriate place in the alphabetical order—

""pharmacist independent prescriber" means a person—

(a) who is either engaged or employed by the contractor or is a party to the contract,

(b) who is registered in the register maintained in pursuance of Articles 6 and 9 of the Pharmacy (Northern Ireland) Order 1976(**6**) or the Register of Pharmaceutical Chemists maintained in pursuance of section 2(1) of the Pharmacy Act(**7**), and

(c) against whose name in that register is recorded an annotation signifying that he is qualified to order drugs, medicines and appliances as a pharmacist independent prescriber;";

Amendment of regulation 5 of the GMS Contracts Regulations

3. In regulation 5(2) (general conditions relating to all contracts) of the GMS Contract Regulations, in sub-paragraph (k), before "he has been", insert "within the period of five years prior to signing the contract or commencement of the contract, whichever is the earlier,";

Amendment of regulation 22 of the GMS Contracts Regulations

4. In regulation 22 (finance) of the GMS Contract Regulations, in paragraph (1), for "the Board to make payments to the contractor", substitute, "payments to be made".

Amendment of Schedule 5 of the GMS Contracts Regulations

5. In Schedule 5 (other contractual terms) to the GMS Contracts regulations—

(a) in paragraph 45(3) and (4) (terms relating to the provision of dispensing services), after "independent nurse prescriber" at each place where it occurs (three times), insert "or a pharmacist independent prescriber";

(b) in paragraph 48(2) (qualifications of performers), after head (c), add the following head—

(**6**) S.I. 1976/1213 (N.I. 22)
(**7**) 1954 c. 61