STATUTORY RULES OF NORTHERN IRELAND

1998 No. 83

HEALTH AND PERSONAL SOCIAL SERVICES

The Health Services (Proposals for Pilot Schemes) Regulations (Northern Ireland) 1998

Made - - - -	*5th March 1998*
Coming into operation	*27th April 1998*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 55(3) and 106(*b*) of the Health and Personal Social Services (Northern Ireland) Order 1972(**1**), by paragraph 2(*e*), (*h*) and (*j*) of Schedule 1 to the Health and Personal Social Services (Northern Ireland) Order 1991(**2**) and by Articles 6(3)(*b*) and 31(2) of the Health Services (Primary Care) (Northern Ireland) Order 1997(**3**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Services (Proposals for Pilot Schemes) Regulations (Northern Ireland) 1998 and shall come into operation on 27th April 1998.

(2) In these Regulations—

"the Order" means the Health Services (Primary Care) (Northern Ireland) Order 1997;

"request" means a request to a board under Article 6(2) of the Order (requests to a board for preparation of proposals for pilot schemes).

Requests to boards for preparation of proposals

2.—(1) A request shall deal with such matters and include such information as the board to which it is made may reasonably require for the purpose of enabling it to comply with any directions given by the Department under Article 6(4) and (6)(*a*) of the Order (directions as to proposals and recommendations).

(2) A board shall, if asked to do so by any person who is entitled to make a request,—

(a) provide that person with a copy of any directions given by the Department as mentioned in paragraph (1); and

(**1**) S.I.1972/1265 (N.I. 14); Article 55(1) was substituted by Article 5 of S.I. 1991/194 (N.I. 1)
(**2**) S.I. 1991/194 (N.I. 1)
(**3**) S.I. 1997/1177 (N.I. 7)

(b) specify the matters with which the request must deal and the information which it must include.

(3) Paragraphs (4) and (5) apply in relation to a board only where the Department has, in directions, specified a date by which any proposals by that board are to be submitted to it under Article 6(1) of the Order (submission of proposals for pilot schemes).

(4) The board shall, if asked to do so by any person who is entitled to make a request, inform that person of the date specified as mentioned in paragraph (3).

(5) A request shall—

(a) contain a statement that the date specified as mentioned in paragraph (3) is the one by which the board is requested to submit the proposals in question to the Department;

(b) be received by the board, at least 2 months before that date; and

(c) specify the period of time which the person making the request would require after receiving notification of approval of the proposals by the Department(**4**) in order to prepare for the proposals to be implemented by the board.

Consultation on proposals

3.—(1) Where, pursuant to directions given by the Department under Article 6(5) of the Order, a Health and Social Services Council is, prior to submission of proposals for a pilot scheme, consulted by the board for whose area that Council was established, that Council shall—

(a) consider the effect of the proposals on the operation of the health services within the area for which the Council was established; and

(b) in the light of the conclusions which the Council reaches as a result of that consideration, give advice to the board about that effect.

(2) Where, pursuant to directions given by the Department under Article 6(5) of the Order, a Local Medical Committee(**5**) is, prior to submission of proposals for a pilot scheme, consulted by the board for whose area the Committee was formed, that Committee shall—

(a) consider the effect of the proposals on the provision of general medical services in that area; and

(b) in the light of the conclusions which the Committee reaches as a result of that consideration, give advice to the board about that effect.

(3) Where, pursuant to directions given by the Department under Article 6(5) of the Order, a Local Dental Committee(**6**) is, prior to submission of proposals for a pilot scheme, consulted by the board for whose area that Committee was formed, that Committee shall—

(a) consider the effect of the proposals on the provision of general dental services or any equivalent dental services in that area; and

(b) in the light of the conclusions which the Committee reaches as a result of that consideration, give advice to the board about that effect.

Amendment of the Health and Social Services Councils Regulations (Northern Ireland) 1991

5. In the Health and Social Services Councils Regulations (Northern Ireland) 1991(**7**), in regulation 17 (consultation of Councils by relevant board), at the end of paragraph (2) there shall be added the following—

(**4**) *See* Article 7 of S.I. 1997/1177 (N.I. 7)
(**5**) *See* Article 55 of S.I. 1972/1265 (N.I. 14); as amended by Article 5 of S.I. 1991/194 (N.I. 1)
(**6**) *See* Article 55 of S.I. 1972/1265 (N.I. 14); as amended by Article 5 of S.I. 1991/194 (N.I. 1)
(**7**) S.R. 1991 No. 70