

1973. No. 421

[C]

HEALTH AND PERSONAL SOCIAL SERVICES**General Medical and Pharmaceutical Services**

REGULATIONS, DATED 27TH SEPTEMBER 1973, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES IN CONJUNCTION WITH THE MINISTRY OF FINANCE UNDER THE HEALTH AND PERSONAL SOCIAL SERVICES (NORTHERN IRELAND) ORDER 1972.

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The Ministry of Health and Social Services (hereinafter referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers conferred on it by Articles 55, 56, 57, 63, 64, 95, 106 and 107 of and paragraph 7(5) of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf and in conjunction with the Ministry of Finance hereby makes the following Regulations:—

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them—

"the Agency" means the Northern Ireland Central Services Agency for the Health and Social Services established under Article 26 of the Order;

"appliance" means an appliance listed in Schedule 3 and conforming to any specification which may, from time to time, be included in the Drug Tariff in respect of that appliance;

"assistant" means a doctor who acts as an assistant to a doctor on the medical list;

"Board" means a Health and Social Services Board established under Article 16 of the Order for any area;

"Central Medical Committee" means the Committee appointed under Regulation 12 of the Health and Personal Social Services (Services Committee) Regulations (Northern Ireland) 1973(b);

"doctor" means a registered person within the meaning of the Medical Acts 1956 to 1969;

"drugs" includes medicines, reagents and oxygen;

"Drug Tariff" means the statement referred to in Regulation 40;

"Executive Council" means an Executive Council constituted under the provisions of section 31 of the National Health Service Act 1946(c) or section 32 of the National Health Service (Scotland) Act 1947(d);

(a) S.I. 1972, No. 1265 (N.I. 14).
 (b) S.R. & O. (N.I.) 1973, No. 416.

(c) 9 & 10 Geo. 6 c. 81.
 (d) 10 & 11 Geo. 6 c. 27.

“maternity medical services” means the personal medical services (other than services which involve the application of special skill or experience of a degree or kind which doctors providing general medical services cannot as a class reasonably be expected to possess) provided by a doctor whose name is included in the obstetric list in respect of pregnancy, confinement and the post-natal period in accordance with such arrangements and subject to such conditions as may be determined by the Ministry after consultation with appropriate organisations as may be recognised by the Minister as representing the medical profession;

“medical card” means a card issued to a person, in a form approved by the Ministry, for the purpose of enabling that person to obtain or establish a title to receive general medical services including maternity medical services, general dental services or general ophthalmic services and shall include any card provided for a like purpose under the National Health (Medical Benefit) Regulations (Northern Ireland) 1938(e);

“Medical Officer” means a doctor in the employment of the Agency;

“obstetric list” means a list of doctors whose experience in obstetrics is for the time being approved by the Board to which the doctor is under contract in accordance with the conditions determined by the Obstetric Committee;

“the Order” means the Health and Personal Social Services (Northern Ireland) Order 1972;

“prescribed charge” means a charge made in accordance with the Health and Personal Social Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1973(f);

“quarter” means a period of three months ending on 31st March, 30th June, 30th September or 31st December;

“reagent” means a chemical reagent included in a list for the time being approved by the Ministry;

“relevant service” has the same meaning as in section 64(1) of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(g) as extended to Northern Ireland by the Reserve and Auxiliary Forces (Protection of Civil Interests) (Northern Ireland) Order 1953(h) and includes services rendered under the Army Reserve Act 1962(i) and section 2 of the Navy, Army and Air Forces Reserves Act 1964(j);

“training school” means a school approved by the Ministry of Home Affairs under sections 137 and 138 of the Children and Young Persons Act (Northern Ireland) 1968(k);

“treatment” means treatment as defined in paragraph 7 of Schedule 1;

“year” means a period from the 1st April in any calendar year to the 31st March in the next succeeding calendar year.

(2) In these Regulations the expression “chemist” means a person, firm or body corporate entitled to carry on the business of a pharmaceutical chemist under the Pharmacy and Poisons Acts (Northern Ireland) 1925 to 1967, who provides pharmaceutical services. The Regulations shall also apply (except so far as the context may otherwise require) to a person, firm or body corporate whose name is included in the pharmaceutical list for the purpose of supplying appliances only.

(e) S.R. & O. (N.I.) 1938, No. 141.

(i) 10 & 11 Eliz. 2. c. 10.

(f) S.R. & O. (N.I.) 1973, No.

(j) 1964. c. 11.

(g) 14 & 15 Geo. 6 c. 65.

(k) 1968. c. 34 (N.I.).

(h) S.I. 1953, No. 197 (1953. II. p. 1787).

PART II

TERMS OF SERVICE FOR DOCTORS

Terms of service

3. The arrangements which a Board is required by Article 56 of the Order to make with doctors for the provision of general medical services including maternity medical services shall incorporate the terms of service contained or referred to in Schedule 1.

PART III

GENERAL ARRANGEMENTS FOR THE PROVISION OF GENERAL MEDICAL SERVICES OTHER THAN MATERNITY MEDICAL SERVICES

Medical list

4.—(1) The Agency shall from information obtained from the Boards prepare a list, to be called "the medical list", of the doctors who having made the appropriate application are entitled to be included in the list for the provision of general medical services other than maternity medical services.

(2) Subject to Article 58 of the Order, any doctor resident in Northern Ireland, not disqualified under the provisions of Schedule 11 to the Order who wishes to be included in the medical list, shall be so included.

(3) Any doctor who wishes to have his name included in the medical list shall apply on a form approved by the Ministry and available from the Board. Application shall be made to the Board for the area in which the doctor's surgery or main surgery is situated.

(4) The medical list shall contain—

- (a) the name of each doctor and, if he practices in partnership, the name of each of his partners;
- (b) the address of any surgery and other place or places of consultation, if any, at which the doctor attends for the purpose of treating persons receiving general medical services and the telephone number or numbers at which he is prepared to receive messages;
- (c) particulars of the days and hours at which the doctor undertakes to be in attendance at each place;
- (d) particulars of days and hours during which he sees patients by appointment;
- (e) where the doctor is acting as an assistant, the name and address of the principal;

and may be so arranged as to show the area in which each doctor will provide treatment.

(5) A doctor on the medical list shall within 14 days notify the Board of any change or addition affecting the entries which the medical list is required to contain in relation to him.

(6) The Agency shall send a copy of the medical list to the Ministry, each Board, the Central Medical Committee, the Obstetric Committee, each Local Medical Committee, the Local Pharmaceutical Committee and any person under contract with a Board to provide pharmaceutical services. The Agency shall inform the Ministry, each Board and each Local Medical Committee within 14 days of any alterations which may from time to time be made in the list, and shall inform the remaining authorities and persons at intervals of not more than 3 months of such alterations.