(22) The following sub-paragraph shall be substituted for sub-paragraph (4) of paragraph 8 of Part I of the Third Schedule to the Regulations:—

"(4) Payment shall be made for drugs and prescribed appliances mentioned in the Drug Tariff at the prices specified therein and for drugs or prescribed appliances not mentioned in the Tariff in the manner set forth therein, subject, however, in either case to any adjustment, as may be required, of the sums payable to chemists consequent upon the prescribed charges collected or due to be collected from persons to whom drugs or appliances have been supplied. The payment to be made for containers and in respect of the hire of oxygen equipment and dispensing fees shall be calculated in the manner set forth in the Tariff."

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this sixteenth day of March, 1955, in the presence of

(L.S.)

John A. Oliver,
Assistant Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this sixteenth day of March, 1955, in the presence of

(L.S.)

D. C. B. Holden,
Assistant Secretary.

Services Committee

REGULATIONS, DATED 27TH SEPTEMBER, 1955, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1955. No. 157 **[C]**

The Ministry of Health and Local Government, in exercise of the powers conferred on it by Sections 5, 6, 11, 12, 22 and 80 of the Health Services Act (Northern Ireland), 1948, and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Health Services (Services Committee) (Amendment) Regulations (Northern Ireland), 1955, and shall come into operation on the first day of October, 1955.

(2) The Health Services (Services Committee) Regulations (Northern Ireland), 1948(a) and these Regulations may be cited together as the Health Services (Services Committee) Regulations (Northern Ireland), 1948 to 1955.

2. For Regulations 2 to 11 inclusive of the Health Services (Services Committee) Regulations (Northern Ireland), 1948(a) there shall be substituted the following Regulations:—

(a) S.R. & O. (Northern Ireland), 1948, No. 164.

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

"the Act" means the Health Services Act (Northern Ireland), 1948;

"Board" means the Northern Ireland General Health Services Board;

"dental officer" means a dental officer appointed by the Board;

"dispensing optician" means a person, firm or company qualified as a dispensing optician in accordance with the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948(a)

"drugs" includes in the case of persons receiving general medical services medicines and any prescribed chemical reagents and in the case of persons receiving general dental services means any prescribed drug;

"Drug Tariff" means the statement prepared by the Ministry under Regulation 28 of the General Service Regulations as hereinafter defined specifying the prices and standards of drugs and appliances to be provided under those Regulations;

"General Dental Regulations" means the Health Services (General Dental Services) Regulations (Northern Ireland), 1948(b);

"General Service Regulations" means the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948(c);

"health centre" means premises provided by the Board in accordance with the provisions of Section 17 of the Act;

"Local Medical Committee", "Local Dental Committee" and "Local Pharmaceutical Committee" mean the committees recognised by the Board under Section 5 of the Act;

"medical adviser" means a registered medical practitioner in the full-time employment of the Board;

"ophthalmic medical practitioner" means a medical practitioner having the qualifications prescribed by the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948(d);

"ophthalmic optician" means a person, firm or company qualified as an ophthalmic optician in accordance with the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948(d);

"optician" means an ophthalmic optician or a dispensing optician;

(a) S.R. & O. (Northern Ireland), 1948, No. 122.
(b) S.R. & O. (Northern Ireland),1948, No. 157.
(c) S.R. & O. (Northern Ireland), No. 147.
(d) S.R. & O. (Northern Ireland), 1948, No. 122.

"practitioner" means a registered medical practitioner, an ophthalmic medical practitioner or a registered dental practitioner;

"treatment" in relation to general medical services has the same meaning as in the General Service Regulations and in relation to general dental services has the same meaning as in the General Dental Regulations;

"the terms of service" means the terms of service for medical practitioners contained in Part I of the First Schedule to the General Service Regulations, the terms of service for chemists contained in Part I of the Third Schedule to the General Service Regulations, the terms of service for dental practitioners contained in the First Schedule to the General Dental Regulations, or the terms of service for ophthalmic medical practitioners, ophthalmic opticians and dispensing opticians contained in the First Schedule to the Health Services (Supplementary Eye Services) Regulations (Northern Ireland), 1948(a), as the case may be;

"the Tribunal" means the Tribunal constituted under Section 16 of the Act.

(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 and 1945 who provides pharmaceutical services. The Regulations shall also apply (except so far as the context may otherwise require) to any other person, firm or body corporate whose name is included in the pharmaceutical list for the purpose of supplying appliances only.

3.—(1) For the purposes of these Regulations the Board shall draw up the following panels of persons:—

(i) a panel of medical practitioners nominated by the Local Medical Committees;

(ii) a panel of dental practitioners nominated by the Local Dental Committees;

(iii) a panel of chemists nominated by the Local Pharmaceutical Committee;

(iv) a panel of opticians nominated by such organisation or organisations as may be recognised by the Board as representative of opticians; and

(v) a panel of lay persons appointed by the Board, being neither members of the Board nor officers of the Ministry.

(2) Any complaint made by a person against a practitioner, chemist or optician shall be investigated by a committee (hereinafter referred to as the "Services Committee"). The Services Committee shall also perform such other duties as are imposed on it by these Regulations.

(a) S.R. & O. (Northern Ireland), 1948, No. 166.

(3) The chairman and deputy chairman of the Services Committee shall be appointed by the Board from their lay members.

(4) The members of the Services Committee shall be appointed by the Board and shall consist of two members drawn from the panel of lay persons, and

(*a*) where the complaint is made against a medical practitioner or an ophthalmic medical practitioner, two members drawn from the panel of medical practitioners;

(*b*) where the complaint is made against a dental practitioner, two members drawn from the panel of dental practitioners;

(*c*) where the complaint is made against a chemist, two members drawn from the panel of chemists; and

(*d*) where the complaint is made against an optician, two members drawn from the panel of opticians.

Provided that the members of the Services Committee shall so far as is practicable be drawn from the area in which the practitioner, chemist or optician resides or is practising.

(5) If in the opinion of the Services Committee any matter referred to that Committee involves a question relating to a practitioner, chemist or optician whose profession is not represented on the Committee as constituted, the Committee shall inform the Board who shall proceed to reconstitute the Committee by adding two additional members drawn from the panel of representatives of the profession to which the practitioner, chemist or optician who appears to be involved, belongs.

(6) If in the opinion of the chairman any member of a committee is interested, or is partner, principal, assistant or manager to a practitioner, chemist or optician who is interested, in a question referred to them, or if the practitioner, chemist or optician objects to any member on any personal or other reasonable ground specified by him, that member shall take no part in the hearing thereof but a person having the same qualifications shall act in his place.

(7) Where a case has been opened before the Committee and the meeting is adjourned for the purpose of hearing further evidence or of preparing or considering the report, a member of the Committee who was not present at the meeting shall not be entitled to be present or take part in the proceedings at the adjourned meeting, and it shall not be necessary for the secretary to send him notice of such meeting.

(8) The deputy chairman if the chairman is absent shall exercise and perform the powers and duties of the chairman, and shall otherwise be entitled to be present at, and take part in, the proceedings of the Committee, but not to vote.

(9) The term of office of the chairman and deputy chairman shall be fixed by the Board.

4.—(1) (*a*) The person desiring to make a complaint under these Regulations against a medical practitioner, an ophthalmic medical practitioner, a chemist or an optician shall, within six weeks after the event which gave rise to the complaint, give written notice to the Board stating the substance of the matter which it is desired to have investigated.

(*b*) The person desiring to make a complaint under these Regulations against a dental practitioner shall, within six months after completion of the treatment or within six weeks after the matter which gave rise to the complaint came to the complainant's notice, whichever is the sooner, give written notice to the Board stating the substance of the matter which it is desired to have investigated.

(*c*) Notwithstanding failure to give notice within the periods specified in the two preceding sub-paragraphs, the Services Committee may investigate the matter if they are satisfied that such failure was occasioned by illness or other reasonable cause and—

(i) in the case of a complaint against a medical practitioner, an ophthalmic medical practitioner, a chemist or an optician the complaint is made within two months after the said event, or

(ii) in the case of a complaint against a dental practitioner the complaint is made within six months after the completion of the treatment or within two months after the matter came to the complainant's notice, whichever is the sooner, or

(iii) the practitioner, chemist or optician as the case may be consents to the investigation taking place notwithstanding the failure to give notice in time, or

(iv) the Board's consent to the investigation has been obtained.

(2) The Services Committee shall investigate any matters (other than any question arising under Regulations 14, 15 or 16 of these Regulations) referred to them by the Ministry, the Board, or any committee of the Board duly authorised in that behalf by the Board, relating to the administration of general medical services, general dental services, pharmaceutical services or supplementary eye services, whether or not any such matter has been raised on complaint under the foregoing provisions of this Regulation.

(3) The Services Committee shall perform such duties in connection with the testing of drugs and appliances as may be imposed on them by the scheme made for that purpose under Regulation 26 of the General Service Regulations.