2. The Ministry hereby approves of the management scheme dated 8th day of January, 1953, and directs that a copy of the management scheme as amended and approved by the Ministry relating to each hospital included in the First Schedule to the Principal Order shall be available at that hospital for inspection by members of the public at all reasonable times.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this third day of June One Thousand, nine hundred and fifty-three in the presence of

(L.S.) *W. McCaughey*,
Assistant Secretary.

General Medical and Pharmaceutical Services

REGULATIONS, DATED 20TH MARCH, 1953, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACTS (NORTHERN IRELAND), 1948 TO 1953.

1953. No. 39

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by Sections 6, 10 and 80 of the Health Services Act (Northern Ireland), 1948 and of all other powers in that behalf enabling it, and in conjunction with the Ministry of Finance for Northern Ireland hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) (Amendment) (No. 2) Regulations (Northern Ireland), 1953, and shall come into operation on the 1st April, 1953.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. The Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948 (a), as amended (b), shall be amended as follows :—

(1) For the definition of " the Act " in paragraph (1) of Regulation 2 there shall be substituted the following definition :—

" "the Act" means the Health Services Acts (Northern Ireland), 1948 to 1953."

(a) S. R. & O. (Northern Ireland) 1948 No. 147.
(b) S. R. & O. (N.I.) 1948 No. 260 ; S. R. & O. (N.I.) 1949 No. 143 ; S. R. & O. (N.I.) 1950 No. 128 ; S. R. & O. (N.I.) 1950 No. 160 ; S. R. & O. (N.I.) 1950 No. 223 ; S. R. & O. (N.I.) 1951 No. 62 ; S. R. & O. (N.I.) 1951 No. 113 ; S. R. & O. (N.I.) 1952 No. 19.

(2) The following paragraph shall be substituted for paragraph (3) of Regulation 7 :—

" (3) The Board shall have power, subject to the terms of proviso (iii) to sub-paragraph (1) of paragraph 20 of Part I of the First Schedule to these Regulations, to exempt from liability to have persons assigned to him any practitioner who applies to the Board for that purpose."

(3) The following paragraph shall be substituted for paragraph (3) of Regulation 8 :—

" (3) The Board shall have power on application by a practitioner, subject to the terms of proviso (iii) to sub-paragraph (1) of paragraph 20 of Part I of the First Schedule to these Regulations, to exempt him, on the ground of age or infirmity or where he is exempted from liability to have persons assigned to him under paragraph (3) of Regulation 7, from any liability for emergency night calls to persons not on his list."

(4) The following Regulation shall be substituted for Regulation 9 :—

" **9.**—(1) The number of persons whose names may be placed on the list of a practitioner or on the combined lists of a partnership of practitioners (hereinafter referred to as the permitted maximum) shall be limited as follows :—

(*a*) in the case of a practitioner carrying on a practice otherwise than in partnership, the number of persons shall not exceed 3,500 ;

(*b*) in the case of two or more practitioners carrying on practice in partnership, the number on the list of any one of such practitioners shall not exceed 4,500 and the average of the numbers on the lists of both or all the partners shall not exceed 3,500 ;

(*c*) where a practitioner or a partnership of practitioners is authorised by the Board under these Regulations to employ one, or more than one, permanent assistant the additional number of persons for whose treatment the practitioner or practitioners may be responsible shall not exceed 2,000 in respect of each such assistant ;

(*d*) where a practitioner employs an assistant who is also included in the Board's list as an independent practitioner, the total number on the combined lists shall not exceed 5,500, and, where two or more such assistants are employed, the total number on the combined lists shall not exceed an additional 2,000 in respect of each such additional assistant :

Provided that —

(i) where notification is received by the Board under sub-paragraph (3) of paragraph 8 of Part I of the First Schedule to these Regulations of intention to employ

a permanent but not full time assistant, and the circumstances of the employment are, in the opinion of the Board, such as to warrant restriction of the maximum numbers which would otherwise be permissible under this Regulation upon the list or lists of the practitioner or practitioners concerned, the Board, after due notice to and consultation with the Central Medical Committee, may determine a lesser number as the appropriate maximum addition in respect of that assistant, having regard to the circumstances of the practice ;

(ii) where a practitioner or a partnership of practitioners is in receipt of payments from the Rural Practitioners' Fund and the circumstances of the practice are, in the opinion of the Board, such as to warrant restriction of the maximum numbers which would otherwise be permissible under this Regulation on the list or lists of the practitioner or practitioners concerned, the Board, after due notice to and consultation with the Central Medical Committee, may determine a lesser number as the appropriate maximum ;

(iii) the imposition of a limit of numbers shall not restrict a practitioner from accepting persons who apply to him as temporary residents or who are assigned to him as a temporary arrangement under Regulation 12, or exempt him from any liability to give treatment immediately necessary to any person who applies for acceptance, or to give emergency treatment under Regulation 8.

(2) If the number of persons on the list of a practitioner or on the combined lists of a partnership of practitioners exceeds the limit applicable to the practice under this Regulation further persons may not be accepted until the practitioner or practitioners have reduced the number to the permitted maximum either

(*a*) by securing the services of a practitioner as a partner, or

(*b*) by engaging a permanent assistant, or

(*c*) by informing the Board of the names of the necessary number of persons for whom the practitioner, or practitioners, intend to discontinue responsibility for treatment. in which event the Board may thereupon give notice to the persons accordingly and inform them that they should apply to another practitioner for acceptance, provided that in the case of practitioners practising in partnership a practitioner may require the Board to state in the notice the name and address of such other partner or partners as he may specify who may be willing and entitled to accept such persons for treatment.

(3) Where the number of persons on the list of a practitioner at the 1st April, 1953, exceeds the permitted maximum he shall reduce that number so that

(*a*) by the 30th September, 1953, it shall be not more than 300 in excess of the permitted maximum,

(*b*) by the 31st December, 1953, it shall be not more than 200 in excess of the permitted maximum,

(*c*) by the 31st March, 1954, it shall be not more than 100 in excess of the permitted maximum.

(4) (*a*) In the application of the preceding paragraph to a practice in which one or more permanent assistants are employed the figures referred to in sub-paragraphs (*a*), (*b*) and (*c*) thereof shall be increased by 150, 100 and 50 respectively for each permanent assistant employed.

(*b*) In the application of the preceding paragraph to the permitted maximum on the combined lists of a partnership of practitioners the figures referred to in sub-paragraphs (*a*), (*b*) and (*c*) thereof shall be multiplied by the sum of the number of principals engaged in the practice and half the number of permanent assistants.

(5) If, on or after the 1st April, 1954, the number on the list of a practitioner or on the combined lists of a partnership of practitioners exceeds the permitted maximum the Board may, after giving two months notice of their intention, remove such persons from the list or lists as may be required to reduce the number to the permitted maximum or, if the Board think fit, to a figure which does not exceed the permitted maximum by more than 100 for each principal and 50 for each permanent assistant (hereinafter referred to as the permitted tolerance).

(6) The Board may, on the application of a practitioner, grant an extension of the time within which reduction to the permitted maximum must be effected, if they are satisfied that there are exceptional circumstances which justify such a course.

(7) (*a*) For the purposes of this Regulation a practitioner shall be deemed not to be carrying on a practice in partnership unless he is in the position of a principal in connection with the practice and is entitled under a written agreement to a share in the profits whether by way of salary or otherwise which is not less than one-third of the share of the profits of the partner with the largest share. A practitioner who is not deemed to be carrying on a partnership solely for the reason that he is not entitled to such share of the profits shall be deemed for the purposes aforesaid to be an assistant.

(*b*) For the purposes of this Regulation a practitioner, notwithstanding that he may be referred to as a

partner in a partnership agreement, shall be deemed not to be carrying on a practice in partnership if he is in receipt of a fixed salary from another practitioner but is not entitled to a stated proportion of the profits."

(5) In Regulation 13A —

(*a*) the words " paragraph (1) of " shall be inserted after the word " under " in paragraph (2) ;

(*b*) the following paragraph shall be added :—

" (3) where the Board, after due enquiry, are satisfied that a person whose name is included in the list of a practitioner providing general medical services has been an inmate for two years or more of

(*a*) a mental hospital, or

(*b*) an institution for persons requiring special care

they may forthwith remove the name of that person from the practitioner's list."

(6) For Regulation 17 there shall be substituted the following Regulation :—

" **17.**—(1) Except as otherwise provided in these Regulations each practitioner shall be paid a capitation fee in respect of each person for whose treatment he is responsible under sub-paragraphs (*a*) and (*c*) of paragraph 3 (1) of Part I of the First Schedule to these Regulations (hereinafter referred to as the " standard capitation fee ") and an additional capitation fee in respect of each of the number of such persons in excess of 500 but not in excess of 1,500 (hereinafter referred to as the " capitation loading "). The standard capitation fee shall be at the rate of seventeen shillings per annum and the capitation loading shall be at the rate of ten shillings per annum.

(2) A practitioner shall be entitled to claim remuneration in respect of emergency treatment and the treatment of temporary residents rendered in accordance with Regulations 8 and 15 of these Regulations and in respect of the administration of a general anaesthetic by another practitioner.

(3) The Board, with the approval of the Ministry, may, subject to the provisions of paragraph 21 of Part I of the First Schedule to these Regulations, make allowances (hereinafter referred to as Initial Practice Allowances) to practitioners who have set up new practices or have secured small existing practices.

(4) The Board, with the approval of the Ministry, may, subject to the provisions of paragraph 22 of Part I of the First Schedule to these Regulations make allowances to certain practitioners who have suffered hardship as a result of the introduction from the 1st April, 1953, of the methods of remuneration referred to in this Regulation.

(5) The Board, with the approval of the Ministry and the Ministry of Finance, may make grants to practitioners in order to