3. Any person, being an officer employed by the Ministry immediately before the appointed day solely for the purposes of the service known as the Psycho-neurosis After-care Scheme, to whom sub-section (4) of section fifty-eight of the Act applies shall, if he elect that the provisions of the said sub-section (4) shall not apply to him, forward to the Secretary of the Ministry a statement, in writing, in the form set out in Part I of the Schedule to these Regulations or in a form to the like effect so as to reach the Ministry not later than 31st July, 1948.

4. Any person, being an officer employed by the Ministry immediately before the appointed day solely for the purposes of the functions of the Ministry in connection with medical benefit under the National Health Insurance Acts (Northern Ireland), 1936 to 1946, to whom sub-section (5) of section fifty-eight of the Act applies shall, if he elect that the provisions of the said sub-section (5) shall not apply to him forward to the Secretary of the Ministry a statement, in writing, in the form set out in Part II of the Schedule to these Regulations or in a form to the like effect so as to reach the Ministry not later than 31st July, 1948.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this fifteenth day of June, one thousand nine hundred and forty-eight in the presence of

(L.S.) *Thos. Elwood*,
Assistant Secretary.

SCHEDULE

PART I

NAME (in Block Letters) .....

I do not wish to transfer to the Northern Ireland Hospitals Authority.

(Signed) .....

Date .....

PART II

NAME (in Block Letters) .....

I do not wish to transfer to the Northern Ireland General Health Services Board.

(Signed) .....

Date .....

Services Committee Regulations (Northern Ireland), 1948

REGULATIONS, DATED 28TH JUNE, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

1948. No. 164

ARRANGEMENT OF REGULATIONS

Regulation

1. Short title.
2. Interpretation.
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4. Investigations by Services Committee.
5. Procedure of Services Committee.
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7. Appeal to Ministry from decision of the Board.
8. Representation by Board to Tribunal.
9. Procedure on appeal.
10. Provisions of Seventh Schedule to the Act to apply.
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12. Central Medical Committee.
13. Central Dental Committee.
14. Investigation of excessive prescribing.
15. Investigation of certification.
16. Investigation of record keeping.
17. Decisions as to treatment for which fees may be charged.
18. Determination of question whether a substance was a drug.
19. Recovery of cost of substance held not to be a drug.
20. Information, etc., required by Ministry.

SCHEDULES

FIRST SCHEDULE —Rules of Procedure under Regulation 5.

SECOND SCHEDULE —Rules of Procedure under Regulation 17.

11 & 12 Geo. 6 c. 3

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

Short title

1. These Regulations may be cited as the Health Services (Services Committee) Regulations (Northern Ireland), 1948.

Interpretation

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 ;

" 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 ;

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

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

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

" practitioner " means either a registered medical or registered dental practitioner as the context may require ;

" 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 or the terms of service for dental practitioners contained in the First Schedule to the General Dental Regulations, 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) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies for the interpretation of an Act of the Parliament of Northern Ireland.

Constitution of Services Committee

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 ; and

(iv) 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 medical practitioner, a dental practitioner, or a chemist 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.

(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, 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 ; and

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

Provided that the members of the Services Committee shall so far as is practicable be drawn from the area in which the practitioner 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 or a chemist 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 or chemist, 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 or chemist who is interested, in a question referred to them, or if the practitioner or chemist 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.

Investigations by Services Committee

4.—(1) (*a*) The person desiring to make a complaint under these Regulations against a medical practitioner or a chemist 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 or chemist 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 or chemist, 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,