
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 380

General Medical Services Regulations (Northern Ireland) 1997

Part I

General

Citation and commencement

1. These Regulations may be cited as the General Medical Services Regulations (Northern Ireland) 1997 and shall come into operation on 6th October 1997.

Interpretation

2. In these Regulations—

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

“ante-natal period” means the duration of a woman’s pregnancy until the onset of labour;

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

“Board” means a Health and Social Services Board;

“chemist” has the same meaning as in regulation 2(1) of the Pharmaceutical Regulations;

“child” means a person who has not attained the age of 16 years;

“child health surveillance list” shall be construed in accordance with regulation 26;

“child health surveillance services” means the personal medical services described in regulation 27 and Schedule 4;

“the Disciplinary Procedures Regulations” means the Health and Personal Social Services (Disciplinary Procedures) Regulations (Northern Ireland) 1996(1);

“doctor” means a medical practitioner;

“domiciliary visit” means a visit to either the place where the patient resides or the place, other than the doctor’s practice premises, where the doctor is obliged, pursuant to paragraph 14 of the terms of service, to render personal medical services to the patient;

“drug” includes medicine;

“full-time doctor” shall be construed in accordance with regulation 13(a);

“group practice” means an association of not less than 2 doctors both or all of whom—

(a) have their names included in the medical list;

(b) co-ordinate, in the course of regular contact between them, their respective obligations under the terms of service for doctors to provide personal medical services to their patients; and

- (c) conduct and manage their practices from at least one common set of practice premises;
- “half-time doctor” shall be construed in accordance with regulation 13(c);
- “job-sharing doctor” shall be construed in accordance with regulation 13(d);
- “list” means a doctor’s list of patients;
- “local directory” means the local directory of family doctors maintained by a Board pursuant to regulation 16;
- “Local Medical Committee” and “Local Pharmaceutical Committee” mean the committees of those names which are recognised by a Board in relation to its area under Article 55(1) of the Order(2);
- “maternity medical services” shall be construed in accordance with regulation 34 and Schedule 5;
- “maximum number” shall be construed in accordance with regulation 23;
- “medical card” means a card issued to a person, in a form approved by the Department, for the purpose of enabling him to obtain, or establishing his title to receive, general medical services including maternity medical services, general dental services or general ophthalmic services;
- “medical list” shall be construed in accordance with regulation 4(1);
- “medical records” means, in relation to any patient, the records maintained in respect of that patient pursuant to paragraph 41 of the terms of service;
- “Medical Register” shall be construed in accordance with section 34 of the Medical Act 1983(3);
- “minor surgery list” shall be construed in accordance with regulation 35;
- “minor surgery services” means the personal medical services described in regulation 36 and Schedule 7;
- “obstetric list” shall be construed in accordance with regulation 30;
- “the Order” means the Health and Personal Social Services (Northern Ireland) Order 1972;
- “patient” has the same meaning as in paragraph 3 of the terms of service;
- “pharmaceutical list” means the list of persons who undertake to provide pharmaceutical services, prepared in pursuance of Article 63(2A) of the Order(4);
- “Pharmaceutical Regulations” means the Pharmaceutical Services Regulations (Northern Ireland) 1997(5);
- “post-natal period” means the period of 14 days following the conclusion of a pregnancy;
- “practice area” means the area in which a doctor is under an obligation to visit patients, by virtue either of his application for inclusion of his name in the medical list or of any variation to it pursuant to these Regulations or the terms of service;
- “practice premises” means, in relation to any doctor, the premises at which he is obliged under paragraph 36 of the terms of service to attend in order to be consulted by or to provide treatment or services for, his patients;
- “quarter” means a period of 3 months ending on 31st March, 30th June, 30th September or 31st December in any year;

(2) Article 55 was amended by Article 5 of S.I. 1991/194 (N.I. 1)

(3) 1983 c. 54

(4) New paragraphs (2) to (2D) of Article 63 were substituted for Article 63(2) by Article 5 of S.I. 1986/2023 (N.I. 20)

(5) S.R. 1997 No. 381

“registered nursing home” shall be construed in accordance with Article 19 of the Registered Homes (Northern Ireland) Order 1992(6);

“relevant service” has the same meaning as in section 64(1) of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(7) as extended to Northern Ireland by the Reserve and Auxiliary Forces (Protection of Civil Interests) (Northern Ireland) Order 1979(8) and includes services rendered under the Reserve Forces Act 1980(9) and the Reserve Forces Act 1996(10);

“restricted doctor” shall be construed in accordance with regulation 13(e);

“restricted list principal” means a doctor who has undertaken to provide general medical services only to a restricted category of patients identified by reference to their connection with a particular establishment or organisation, and “restricted list” shall be construed accordingly;

“restricted services principal” means a doctor who has undertaken to provide general medical services limited to—

- (a) child health surveillance services;
- (b) contraceptive services;
- (c) maternity medical services; or
- (d) minor surgery services,

or to any combination of the above, and “restricted services” shall be construed accordingly;

“suspended by direction of the Tribunal” means suspended as respects the provision of general medical services to patients by a direction of the Tribunal made pursuant to paragraph 8A(2) or 8B(1) of Part I of Schedule 11 to the Order(11) or to any provisions in force in England and Wales or Scotland corresponding to those provisions;

“temporary resident” shall be construed in accordance with regulation 25;

“terms of service” means the terms of service contained, or referred to, in Schedule 2;

“three-quarter-time doctor” shall be construed in accordance with regulation 13(b);

“trainee general practitioner” means a doctor who is being trained in general practice;

“training school” means a school approved by the Secretary of State for Northern Ireland under section 137 of the Children and Young Persons Act (Northern Ireland) 1968(12);

“treatment” means medical attendance and treatment, but does not include child health surveillance services, contraceptive services, maternity medical services or minor surgery services unless the doctor has undertaken to provide such services to the person concerned in accordance with these Regulations;

“young offenders centre” means a place provided, maintained, administered, regulated and managed by the Secretary of State for Northern Ireland under section 2 of the Treatment of Offenders Act (Northern Ireland) 1968(13) in which offenders, who have been ordered to be detained therein under any enactment, may be kept for suitable training and instruction and in which persons not less than 14 but under 21 years of age who are either remanded in custody or committed in custody for trial may be detained in accordance with any enactment.

(6) S.I. 1992/3204 (N.I. 20)

(7) 14 & 15 Geo. 6 c. 65

(8) S.I. 1979/291

(9) 1980 c. 9

(10) 1996 c. 14

(11) Paragraphs 8A and 8B of Part I of Schedule 11 were inserted by Article 4 of S.I. 1995/2704 (N.I. 14)

(12) 1968 c. 34; as amended by S.I. 1995/755 (N.I. 2), Schedule 9, paragraph 42; See also S.I. 1973/2163, Article 2(1) and Schedule 1

(13) 1968 c. 29; section 2(a) was substituted by Article 13(5) and (6) of S.I. 1989/1344 (N.I. 15)

Scope and terms of service

3.—(1) The arrangements with doctors for the provision of general medical services which it is the duty of a Board under Articles 17(1)(b) and 56 of the Order(14) to make, shall include arrangements for the provision of—

- (a) all necessary and appropriate personal medical services of the type usually provided by general practitioners;
- (b) child health surveillance services;
- (c) contraceptive services, that is to say—
 - (i) the giving of advice to women on contraception;
 - (ii) the medical examination of women seeking such advice;
 - (iii) the contraceptive treatment of such women; and
 - (iv) the supply to such women of contraceptive substances and appliances;
- (d) maternity medical services; and
- (e) minor surgery services.

(2) The arrangements referred to in paragraph (1) shall incorporate the terms of service set out in Schedule 2, and Schedules 8, 9, 10, 11, 12 and 13, shall have effect for the purposes of paragraphs 36, 38, 42, 49(1), 49(2), 51 and 56, respectively of the terms of service.

(14) Article 56 was amended by Article 12 of S.I. 1978/1907 (N.I. 26), Article 5 of S.I. 1981/432, Article 7 of S.I. 1986/2229 (N.I. 24) and Article 29 of, and Part I of Schedule 6 to, S.I. 1991/194 (N.I. 1)