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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 140**

**The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004**

**PART 7**

**TRANSITIONAL PROVISIONS**

**Out of hours services**

**31.**—(1) Where the contract is with –

- (a) an individual medical practitioner who is, or was on 31st March 2004, responsible for providing services during all or part of the out of hours period to the patients of a medical practitioner who meets the requirements in paragraph (2);
- (b) two or more individuals practising in partnership at least one of whom is, or was on 31st March 2004, a medical practitioner responsible for providing such services; or
- (c) a company in which one or more of the shareholders is, or was on 31st March 2004, a medical practitioner responsible for providing such services,

the contract with that contractor must require the contractor to continue to provide such services to the patients of the exempt contractor until the happening of one of the events in paragraph (3).

(2) The requirements referred to in paragraph (1)(a) are that –

- (a) the medical practitioner had made an arrangement to transfer his obligations under the terms of service to another medical practitioner under paragraph 20(2) of Schedule 2 to the General Medical Services Regulations (Northern Ireland) 1997; and
- (b) he –
  - (i) has entered or intends to enter into a contract which does not include out of hours services pursuant to regulation 30(1)(b)(i),
  - (ii) is one of two or more individuals practising in partnership who have entered or intends to enter into a contract which does not include out of hours services pursuant to regulation 30(1)(b) (ii), or
  - (iii) is the owner of shares in a company which has entered or intends to enter into a contract which does not include out of hours services pursuant to regulation 30(1) (b) (iii).

(3) The events referred to in paragraph (1) are –

- (a) the contractor has opted out of the provision of out of hours services in accordance with paragraph 4 or 5 of Schedule 2; or
- (b) the Board (and, if it is different, the Board with whom the exempt contractor holds his contract) has or have agreed in writing that the contractor need no longer provide some or all of those services to some or all of those patients.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(4) In this regulation “exempt contractor” means a contractor who is exempt from providing out of hours services pursuant to regulation 30(1)(b).