
EXPLANATORY NOTE

(This note is not part of the Order)

These regulations make amendments to the Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004 (“principal Regulations”), which provide for a list (“primary medical services performers list”) of medical practitioners who may perform primary medical services for which the Regional Health And Social Care Board (“the Regional Board”) is under a duty to provide or secure the provision of.

In particular, they create a special procedure in relation to medical practitioners who apply to be included in the primary medical services performers list, are refused admittance to such a list or are removed from such a list, where those practitioners have been registered by the General Medical Council under their emergency provisions in section 18A of the Medical Act 1983 (c.54).

Regulation 3 inserts a definition of “emergency registered practitioner” into the principal Regulations, such practitioners being able to apply to be included in the Regional Board’s primary medical services performers list where they had been on such a list in the preceding five years and had only been removed from that list because they had not performed primary medical services for the Board in the previous 12 months or for some other reason unconnected with their conduct. Such practitioners need not supply all the information normally supplied by performers list applicants. This regulation also inserts a definition of a “period of emergency”.

Regulation 4 inserts new regulations 6A to 6C into the principal Regulations.

Regulation 6A disapplies regulation 6, 7(1) and 9(1)(c) of the principal Regulations in respect of an application by an emergency registered practitioner for inclusion in the primary medical services performers list or in respect of refusal to include or removal of an emergency registered practitioner’s name from the list.

Regulation 6B prescribes what information need not be provided by an emergency registered practitioner in an application for inclusion in the primary medical services performers list. It also sets out the requirement for the provision of an enhanced criminal record certificate

Regulation 6C prescribes the limited grounds which the Regional Board can remove an emergency registered practitioner from the primary medical services performers list.

Regulation 5 provides that no appeal right lies in respect of refusals to include and decisions to remove emergency registered practitioners from the Regional Board’s primary medical services performers list.