

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations require the pasteurisation of liquid egg to be used in food intended for sale for human consumption, other than egg broken out on the food manufacturer's premises and used within 24 hours. The regulations prescribe the method of pasteurisation and the test to be satisfied.

1963. No. 245

[C]

HEALTH SERVICES

General Medical and Pharmaceutical Services

REGULATIONS, DATED 19TH DECEMBER, 1963, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND) 1948.

The Ministry of Health and Local Government, in exercise of the powers conferred on it by sections 6 and 80 of the Health Services Act (Northern Ireland) 1948(a) hereby makes the following regulations:—

1. These regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) (Amendment) Regulations (Northern Ireland) 1963.

2. The Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1956(b) shall be amended as follows:—

(1) In regulation 2 after the definition "reagent" there shall be inserted the following:—

" 'relevant service' has the same meaning as in section 64(1) of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(c) as extended to Northern Ireland by the Reserve and Auxiliary Forces (Protection of Civil Interests) (Northern Ireland) Order 1953(d) and includes service rendered under the Army Reserve Act 1962(e)".

(2) The following paragraph shall be inserted after regulation 11(3):—

"(4) A practitioner who has performed a period of relevant service in an emergency recognised by the Ministry for the purposes of these regulations and has returned to his practice at the end of such service shall within one month of his return notify the Board in writing that he has personally resumed practice. Where the Board have been so notified, they shall within 7 days send a notice to all persons who were on the practitioner's list at the date of the recognition of the emergency, or of the beginning of his service, whichever shall be the later, who are still residing at the same address at which they were residing at such date, and who have transferred to the

(a) 1948. c. 3.

(b) S.R. & O. (N.I.) 1956, No. 150.

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

(d) S.I. 1953, No. 197.

(e) 10 & 11 Eliz. 2. c. 10.

list of another practitioner. The Board's notice shall state that the former practitioner has resumed practice, and that the person will be restored to his list unless within 14 days that person gives notice in writing to the Board that he wishes to remain on the list of his present practitioner. After the said period of 14 days has elapsed, the Board shall inform the practitioners concerned of the persons who are transferred to the list of the practitioner who has resumed practice, and shall also inform the other practitioner of the persons who have elected to remain on his list and that for a period of 12 months no capitation payment or loading will be payable to him in respect of such persons."

(3) The following paragraph shall be substituted for paragraph 14 of Part I of the First Schedule:—

"Deputies, Assistants and Partners

14.—(1) Save as provided in this paragraph in the case of partners and assistants, all treatment shall be given by a practitioner personally except where he is prevented by reason of other professional duties, temporary absence from home or other reasonable cause.

(2) A practitioner shall make all practicable arrangements for securing the treatment of his patients where he is unable for any of the causes mentioned above to give treatment personally and shall inform the Board of any standing arrangements for that purpose. He shall not absent himself from his practice for more than one week without first informing the Board of his proposed absence and of the person or persons responsible for conducting his practice during such absence.

(3) (a) Subject to the provisions of sub-paragraph (b), as from 1st April, 1964, a practitioner shall only provide as a deputy a medical practitioner—

- (i) who is a partner of, or who personally has entered into a contract for the purpose with, the first named practitioner; or
- (ii) who is included in the medical list or who is a partner or assistant of a practitioner who is so included; or
- (iii) who acts as deputy for no financial reward; or
- (iv) who is a person employed by a deputising service.

(b) A practitioner shall not employ as a deputy a person who is a director or member of, or a person employed (whether under contract of service or otherwise) by a deputising service without the consent of the Board, or on appeal the Ministry. In giving such consent the Board, or on appeal the Ministry, may from time to time impose such conditions as they consider or it considers necessary or expedient, and before giving their consent or imposing conditions the Board shall, so far as practicable, consult the Local Medical Committee.

(c) The Board may at any time, and shall periodically, review, in consultation with the Local Medical Committee, any consent given or condition imposed under sub-paragraph (b) and any practitioner aggrieved by any withdrawal of consent or variation of conditions shall be entitled to appeal to the Ministry.

(d) Any appeal under sub-paragraph (b) shall be made within one month, and any appeal under sub-paragraph (c) within 7 days, of receipt by the practitioner of notice of the Board's decision.

(e) The expression 'deputising service' in this sub-paragraph shall include any person who, or body which, undertakes to provide as part of his or its business a deputy or deputies for practitioners.

(4) A practitioner—

(a) shall, without delay, notify the name of any assistant employed by him to the Board and, on request, shall furnish on a form to be supplied by the Board any information in connection with the employment which may be required for the purposes of the Health Services (Superannuation) Regulations (Northern Ireland) 1962(a);

(b) shall not, except with the consent of the Board, employ an assistant for a period of 3 months or more in any period of 12 months and where such consent has been given it shall be subject to review by the Board.

(5) A practitioner shall not, without the consent of the Ministry, employ as a deputy or assistant any practitioner who is disqualified under section 16 of the Act for inclusion in the medical list.

(6) A practitioner acting as deputy shall be entitled to treat patients at places and at times other than those arranged by the practitioner for whom he is acting, due regard being had to the convenience of the patients.

(7) A deputy or assistant (other than a partner or assistant whose name is included in the medical list) shall, in addition to signing with his own name any certificate, prescription form or other document issued by him under these terms of service, insert therein, if it does not already appear, the name of the practitioner for whom he is acting as deputy or assistant.

(8) In the case of two or more practitioners practising in partnership or as a principal and assistant, treatment may at any time be given by a partner or assistant of the practitioner in whose list the patient is included, instead of by that practitioner in person, if reasonable steps are taken to secure continuity of treatment:

Provided that the patient shall be entitled to require the personal services of that practitioner except when the latter is prevented from attending for any of the reasons referred to in sub-paragraph (1).

(9) Subject to sub-paragraph (10) a practitioner is responsible for all acts and omissions of any medical practitioner acting as his deputy or assistant in relation to his obligations under these terms of service.

(10) Where the deputy is also a registered medical practitioner in contract with the Board to provide general medical services he shall be responsible for his own acts and omissions."

(4) The following paragraph shall be substituted for paragraph 18 of Part I of the First Schedule:—

"Continued absence or disability of practitioner

18.—(1) Where the Board, after having given 7 days' notice by post to a practitioner and not having received a satisfactory reply, are satisfied that owing to his continued absence or bodily or mental disability his obligations under the terms of service are not being adequately carried out, they may with the consent of the Ministry and the Central Medical Committee make such arrangements as they consider necessary including the appointment of a deputy for and on behalf of the practitioner and may deduct the cost of the arrangements in part or in whole from the remuneration of the practitioner; and they may with such consent give notice to the persons on

his list that the practitioner is for the time being in their opinion not in a position to carry out his obligations under the terms of service and that they should choose another practitioner.

(2) During any period in which the practitioner is performing relevant service in an emergency recognised by the Ministry for the purpose of these regulations, the Board shall, if they appoint a deputy under sub-paragraph (1), deduct the cost of the arrangements from the remuneration of the practitioner."

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 19th day of December, 1963, in the presence of

(L.S.)

Wm. J. Morgan,

Minister of Health and Local Government.

EXPLANATORY NOTE

(This note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations amend the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1956, by providing:—

- (a) that a practitioner may employ as a deputy, only with the consent of the Board, a person employed by a deputising service and that the practitioner shall be responsible for the acts and omissions of the deputy except where the deputy is on the Board's Medical List;
- (b) that the Board may make arrangements, including the appointment of a deputy, for the medical care of patients whose practitioner is temporarily incapacitated or engaged on emergency service and for enabling the practitioner to resume his practice on recovery or on completion of such service;
- (c) for consequential amendments of details in existing regulations necessitated by (a) and (b) above.

1963. No. 246

[C]

ROAD TRAFFIC

REGULATIONS, DATED 19TH DECEMBER, 1963, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS 3(2), 15(2) AND 72(1) OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955.

The Ministry of Home Affairs in exercise of the powers vested in it by Sections 3(2), 15(2) and 72(1) of the Road Traffic Act (Northern Ireland) 1955(a) (hereinafter referred to as "the Act"), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

(a) 1955. c. 27.