



# Health and Medicines Act 1988

## 1988 CHAPTER 49

### *Remuneration of practitioners etc.*

#### **17 Arrangements for provision of general medical services, general dental services, general ophthalmic services and pharmaceutical services**

- (1) Without prejudice to the generality of section 29, 36, 39 or 42 of the National Health Service Act 1977 or of section 19, 25(2), 26(2) or 27(2) of the National Health Service (Scotland) Act 1978, the powers to make regulations conferred by each of those sections include power—
- (a) to make provision as to the investigation (following a complaint or otherwise) of any matter relating to services under the section in question;
  - (b) to specify—
    - (i) who is to conduct an investigation;
    - (ii) whether an inquiry may be held in connection with an investigation;
    - (iii) rights of appeal following a decision or recommendation on an investigation;
    - (iv) who is to conduct an appeal; and
    - (v) the procedure to be followed on any investigation, inquiry or appeal;
  - (c) to direct that in prescribed circumstances one or more of the sanctions specified in subsection (2) below shall be available;
  - (d) to make provision for any purposes (whether or not falling within paragraph (a), (b) or (c) above) that appear to the Secretary of State to correspond to the purposes of any provision contained in Part II of the National Health Service (Service Committees and Tribunal) Regulations 1974 or, as the case may be, Part II of the National Health Service (Service Committees and Tribunal) (Scotland) Regulations 1974.
- (2) The sanctions mentioned in subsection (1)(c) above are—
- (a) in the case of any person—
    - (i) recovery of an amount by deduction from his remuneration or otherwise; and

---

*Status: This is the original version (as it was originally enacted).*

---

- (ii) a warning that he should comply more closely with his obligations under arrangements made in accordance with the relevant regulations; and
  - (b) in the case of a dental practitioner, a restriction on his carrying out treatment or a description of treatment without first obtaining from a body prescribed by the regulations approval of an estimate in relation to it.
- (3) Regulations made—
  - (a) before the passing of this Act; or
  - (b) after it but before the coming into force of this section,shall be deemed to be validly made if they could have been validly made had this section been in force.