

*These notes refer to the Health and Social Care Act 2001
(c.15) which received Royal Assent on 11 May 2001*

HEALTH AND SOCIAL CARE ACT 2001

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: National Health Service

Health Service Funding

Abolition of Medical Practices Committee and National Health Service Tribunal

Section 15: Vacancies for medical practitioners

81. *Section 15* provides for regulations enabling Health Authorities to determine the existence, and filling, of vacancies in their area for GPs under GMS and requiring them to undertake consultation before making their determinations.
82. *Subsection (3)* provides for a right of appeal against a decision of a Health Authority as to how a vacancy is to be filled to the Family Health Services Appeal Authority. The existing right of appeal is to the Secretary of State.
83. *Section 15* alongside *section 1* provides for a new method of controlling the distribution of GPs. Health Authorities will have the power to declare vacancies under GMS, but GMS expenditure within the Health Authority area will be taken into account when determining the allocation of funds to that Health Authority. This is expected to lead to a more equitable distribution of GPs and health resources.