
 STATUTORY INSTRUMENTS

1975 No. 696 (S. 114)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (General Medical and
Pharmaceutical Services) (Scotland) Amendment
Regulations 1975

Made - - - - 21st April 1975

Laid before Parliament 5th May 1975

Coming into Operation 1st July 1975

In exercise of the powers conferred on me by sections 34, 40, 41 and 72 of the National Health Service (Scotland) Act 1947(a), as amended by section 64(1) of and Schedule 6 to the National Health Service (Scotland) Act 1972(b) and section 57(1) of and Schedule 4 to the National Health Service Reorganisation Act 1973(c), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Amendment Regulations 1975 and shall come into operation on 1st July 1975.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of Regulations

2. The National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974(e) (hereinafter referred to as the “principal regulations”) shall be amended in accordance with the following provisions of these regulations.

Amendment of regulation 2 (Interpretation) of the principal regulations

3. In regulation 2(1) of the principal regulations—

(a) after the definition of “chemist” there shall be inserted the following definition—

“‘contraceptive services’ means giving advice to women on contraception, the medical examination of women seeking such advice, the treatment of such women and provision for the supply to such women of contraceptive substances and appliances;”

(a) 1947 c. 27.

(c) 1973 c. 32.

(e) S.I. 1974/506 (1974 I, p. 1869).

(b) 1972 c. 58.

(d) 1889 c. 63.

(b) in the definition of "medical card" after the words "other than" there shall be inserted the words "contraceptive services and";

(c) in the definition of "treatment" after the words "does not include" there shall be inserted the words "contraceptive services or";

Amendment of regulation 4 (Medical list) of the principal regulations

4. Regulation 4 of the principal regulations shall be amended as follows:—

(a) after paragraph (1) there shall be inserted—

“(1A) a doctor may be included in the medical list for the purpose of providing—

(a) general medical services other than maternity medical services or contraceptive services, or

(b) general medical services including either maternity medical services or contraceptive services or both maternity medical services and contraceptive services, or

(c) maternity medical services only or maternity medical services and contraceptive services only,

and, if the doctor so requests, the provision by him of contraceptive services may be restricted to patients to whom he has undertaken to provide other general medical services.”; and

(b) for paragraph (2) there shall be substituted the following paragraph:—

“(2) the medical list shall, by marks or otherwise—

(a) indicate which of the services mentioned in paragraph (1A) each doctor has undertaken to provide; and

(b) in relation to doctors who have undertaken to provide contraceptive services, distinguish between those doctors who have so undertaken in respect only of patients to whom they provide other general medical services and those doctors who have so undertaken without such restriction:

Provided that if a doctor has undertaken to provide contraceptive services in respect only of patients to whom he provides other general medical services, the medical list shall, if the doctor so requests, omit any such indication or distinction as to the provision of contraceptive services by that doctor.”.

Amendment of regulation 6 (Application for inclusion in medical list) of the principal regulations

5. At the end of regulation 6 of the principal regulations there shall be inserted—

“(3) Application by a doctor in the medical list for inclusion among those doctors providing contraceptive services shall be made by delivering or sending by post to the Board an application in the form set out in Part III of Schedule I to these regulations or in a form to the like effect.”.

Arrangements for the provision of contraceptive services

6. After regulation 26 of the principal regulations there shall be inserted the following Part:—

PART VA

CONTRACEPTIVE SERVICES

26A,—(1) Where a woman (including a woman who is a temporary resident within the meaning of regulation 22) desires contraceptive services she may

apply to any doctor who has indicated his willingness to provide such services to be accepted by him for the provision to her of contraceptive services.

(2) Subject to the provisions of paragraph (3), where a woman is accepted by the doctor he shall be responsible for the provision of contraceptive services to her for a period of 12 months, except in the case of a temporary resident within the meaning of regulation 22, when the responsibility shall be limited to the period of temporary residence.

(3) Either the woman or the doctor may terminate the arrangement for the provision of contraceptive services at any time during the period of 12 months by giving one month's notice to the other party to the arrangement and to the Board.

(4) On the expiry or termination of the arrangement the woman may apply or reapply to a doctor to be accepted by him for the provision to her of contraceptive services and the provisions of this regulation shall apply to such further application."

Amendment of regulation 27 (Terms of service for chemists) of the principal regulations

7. In regulation 27 of the principal regulations after the words "section 40 of the Act" there shall be inserted the words "shall include provision for the supply of contraceptive substances and appliances and".

Amendment of regulation 28 (Pharmaceutical list) of the principal regulations

8. At the end of regulation 28 of the principal regulations there shall be added the following paragraph:—

"(3) A chemist may at any time give notice in writing to the Board that he wishes to be included in or excluded from the arrangements for the supply of contraceptive substances and appliances referred to in regulation 27."

Amendment of regulation 31 (Payments to doctors) of the principal regulations

9. In regulation 31(1)(d) after the words "rural practice," there shall be inserted the words "fees for contraceptive services".

Amendment of Schedule 1 (Terms of service for doctors, et cetera) to the principal regulations

10. Schedule 1 to the principal regulations shall be amended as follows:—

(a) in paragraph 4(1)(j) of Part I there shall be inserted after the words "in respect of" the words "contraceptive services and";

(b) at the end of paragraph 9(1) of Part I there shall be inserted—

"(d) contraceptive services, unless the doctor has undertaken to provide his patient with such services,";

(c) at the end of paragraph 12(3) of Part I there shall be added—

"and if he has undertaken the provision of contraceptive services shall ensure that such doctor or doctors will also provide such services.";

(d) in paragraph 20 of Part I sub-paragraph (1)(h) shall be deleted;

(e) for paragraph 21 of Part I there shall be substituted the following paragraph:—

“21.—(1) Subject to paragraph (3), a doctor may at any time give notice to the Board—

- (a) that he wishes to withdraw his name from the medical list; or
- (b) if he is a doctor to whom paragraph (b) of regulation 4(1A) applies, that he wishes to cease the provision of maternity medical services or contraceptive services or both maternity medical services and contraceptive services; or
- (c) if he is a doctor to whom paragraph (c) of regulation 4(1A) applies, that he wishes to cease the provision of contraceptive services;

and the Board shall, on the expiry of three months from the date of the notice, or of such shorter period as it may agree with the doctor, remove his name from the medical list, or amend the particulars relating to him in the list, as the case may require.

(2) Any notice given under paragraph (1) may be revoked only with the consent of the Board.

(3) If representations are made to the Tribunal under section 43 of the Act that the continued inclusion of a doctor in the medical list would be prejudicial to the efficiency of the general medical services, he shall not, except with the consent of the Secretary of State and subject to such conditions as the Secretary of State may impose, be entitled to have his name removed from the medical list until the proceedings on such representations have been determined.”.

(f) for Part II there shall be substituted—

“

PART II

**NATIONAL HEALTH SERVICE
GENERAL MEDICAL SERVICES**

Form of Application for Inclusion in Medical List

To _____ Health Board

I _____

date of birth _____, residing at

(private address)

a registered medical practitioner included in the medical register in that name and having the following medical qualifications, namely

_____ (date of qualification: _____ 19)

apply to be included in the list of medical practitioners providing general medical services

*including)
_____) maternity medical services

*excluding)

*including) _____) (*excluding) the fitting of intra
_____) contraceptive services (*including) uterine devices

*excluding)

{ *restricted } to the patients to
 { *not restricted } whom I provide
 other general
 medical services

*limited to { *maternity medical services

 *maternity medical services
 and

 contraceptive services { *excluding } the fitting of
 { *including } intra uterine
 devices

{ *restricted } to the patients to
 { *not restricted } whom I provide
 maternity medical
 services

for persons in the Board's area and if my application is granted I accept service under, and agree to be bound by, the terms of service for the time being in operation in that area.

*I do not intend to practise in partnership.

*I do intend to practise in partnership. The names of my partners are:—

*I intend to act as an assistant to _____

The district or districts within which if my application is granted I undertake to visit patients and particulars of my consulting hours are given below.

I also undertake to visit at the place at which they were residing at the date on which they were placed on my list, any patients who at that date resided outside the said district or districts.

†District	‡Address of Consulting Rooms	Days and hours of attendance
		Signed _____
		Date _____

*Delete if inappropriate.

†The applicant should define as accurately as possible the district or districts in which he proposes to practise.

‡NOTE An applicant for admission to a medical list is not required to commit himself to the purchase or tenancy of consulting accommodation before the result of his application is known, but he should have some particular premises in mind and a reasonable certainty of being able to secure them if required.”.

(g) at the end of Schedule 1 there shall be inserted—

“ PART III
 FORM OF APPLICATION TO PROVIDE CONTRACEPTIVE SERVICES
 To _____ Health Board
 I _____, residing at

and being included in the list of medical practitioners providing general medical services in the Board's area apply to be included among those practitioners who provide contraceptive services. In providing such

services I undertake to be guided by modern authoritative medical opinion on contraceptive practise.

I propose to provide contraceptive services

*excluding }
*including } the fitting of intra uterine devices

*restricted }
*not restricted } to patients to whom I provide other general medical services

Date:—

Signed:—

*Delete as appropriate.”

Amendment of Schedule 3 (Terms of service for chemists, et cetera) to the principal regulations

11. In paragraph 1 of both Part I and Part II of Schedule 3 to the principal regulations after sub-paragraph (c) there shall be inserted the following paragraph:—

“(ca) except in relation to a chemist who has notified the Board under regulation 28(3) that he wishes to be excluded from the arrangements for the supply of contraceptive substances and appliances referred to in regulation 27, “drugs” includes contraceptive substances and “appliances” includes contraceptive appliances;”.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
21st April 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for contraceptive services to be included in the general medical services provided by general medical practitioners by arrangement with Health Boards. They provide that such services are to be available for women and to be so available for 12 months at any one time; for the termination of arrangements between women and doctors for such services and for women who are temporarily resident away from their homes to be able to obtain such services from another doctor. They also provide for the related supplies of contraceptive substances and appliances to be available through chemists providing pharmaceutical services.

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