
 STATUTORY INSTRUMENTS

1981 No. 774

 NATIONAL HEALTH SERVICE,
 ENGLAND AND WALES

 The National Health Service (Linguistic Knowledge for
 General Medical Services and General Dental Services)
 Regulations 1981

<i>Made - - - -</i>	21st May 1981
<i>Laid before Parliament</i>	3rd June 1981
<i>Coming into Operation</i>	1st August 1981

The Secretary of State for Social Services in exercise of the powers conferred by sections 16(1), 29 and 36(1) of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the National Health Service (Linguistic Knowledge for General Medical Services and General Dental Services) Regulations 1981 and shall come into operation on 1st August 1981.

Amendment to provisions for Administration Arrangements

2. In regulation 4(2) of the National Health Service Functions (Administration Arrangements) Regulations 1974(b), sub-paragraphs (a), (b) and (c) shall be re-lettered (b), (c) and (d) respectively, and after the words “such duty relates to—” there shall be inserted the following new sub-paragraph—

“(a) satisfying itself that an applicant for inclusion on a list of medical practitioners undertaking to provide general medical services or of dental practitioners undertaking to provide general dental services has the necessary knowledge of English for providing such services;”.

Amendment to provisions for General Medical Services

3. The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974(c) shall be amended as follows—

(a) in regulation 7(3) after the words “Committee shall” there shall be inserted the words “subject to section 30(1A) of the National Health Service Act 1977(d)”;

(a) 1977 c. 49; sections 16(1), 29 and 36(1) were amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraphs 36, 42 and 49 respectively; section 36 was amended by the European Communities (Medical, Dental and Nursing Professions) (Linguistic Knowledge) Order 1981 (S.I. 1981/432).

(b) S.I. 1974/36.

(c) S.I. 1974/160, to which there are amendments not relevant to these regulations.

(d) See S.I. 1981/432, article 3(1)(b).

(b) in regulation 12(1) after the words "the refusal" there shall be inserted the words "by the Medical Practices Committee".

Amendment to provisions for General Dental Services

4. Regulation 4(1) of the National Health Service (General Dental Services) Regulations 1973(a) shall be amended by the addition at the end of subparagraph (a) of the words "and who are not disentitled by virtue of the provisions of section 36(2) of the National Health Service Act 1977(b)".

Patrick Jenkin,
Secretary of State for Social Services.

21st May 1981.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make amendments to the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974 and the National Health Service (General Dental Services) Regulations 1973 consequential on amendments made to the National Health Service Act 1977 by the European Communities (Medical, Dental and Nursing Professions) (Linguistic Knowledge) Order 1981. By virtue of that Order provision is made for practitioners who are nationals of, and qualified in, a member State to have their applications for inclusion on the medical or dental list of an Area or District Health Authority refused if they do not have the necessary knowledge of English and the regulations governing referral of applications for inclusion on a medical list to the Medical Practices Committee and entitlement to inclusion on a dental list are amended accordingly.

These Regulations also amend the National Health Service Functions (Administration Arrangements) Regulations 1974 to secure that the function of an Area or District Health Authority in this respect shall be exercised on its behalf by the Family Practitioner Committee established for its area or district.

(a) S.I. 1973/1468; the relevant amending instrument is S.I. 1974/53.

(b) See S.I. 1981/432, article 3(3).

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