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STATUTORY INSTRUMENTS

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**1991 No. 582**

**The National Health Service (Fund-holding Practices) (General) Regulations 1991**

**PART I**

**General**

**Citation, commencement and interpretation**

**1.—**(1) These Regulations may be cited as the National Health Service (Fund-holding Practices) (General) Regulations 1991 and shall come into force on 1st April 1991.

(2) In these Regulations, unless the context otherwise requires—

“the Act” means the National Health Service and Community Care Act 1990;

“the 1977 Act” means the National Health Service Act 1977(1);

“allotted sum” has the same meaning as in section 15 of the Act;

“the Application Regulations” means the National Health Service (Fund-holding Practices) (Applications and Recognition) Regulations 1990(2);

“bank account” includes an account with a building society incorporated under the Building Societies Act 1986(3);

“former fund-holding practice” means one or more medical practitioners who were members of a fund-holding practice and either—

(a) have renounced recognition as a fund-holding practice in accordance with regulations 7 and 8, or

(b) from whom recognition has been removed in accordance with regulations 10 and 11 or 12 and 13

whichever is appropriate;

“fund-holding account” has the meaning assigned by regulation 3(2)(d);

“fund-holding practice” means a recognised fund-holding practice;

“health service body” has the same meaning as in section 4 of the Act;

“recognised fund-holding practice” shall be construed in accordance with section 14 of the Act;

“relevant Regional Health Authority” has the meaning assigned by section 14(3) of the Act.

(3) For the purposes of these Regulations, any reference to a fund-holding practice renouncing recognition is a reference to a fund-holding practice renouncing its status as a recognised fund-holding practice and “renunciation of recognition” shall be construed accordingly.

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(1) 1977 c. 49.

(2) S.I. 1990/1753.

(3) 1986 c. 53.

(4) For the purposes of these Regulations, any reference to a relevant Regional Health Authority removing recognition is a reference to that Authority removing recognition from the members of a fund-holding practice and “removal of recognition” shall be construed accordingly.

(5) For the purposes of these Regulations, any reference to the rights and liabilities of members of a fund-holding practice is a reference to rights and liabilities incurred in connection with the application of an allotted sum and in particular to rights and liabilities under NHS contracts.

(6) Unless the context otherwise requires, any reference in these Regulations to a numbered regulation is a reference to the regulation bearing that number in these Regulations and any reference in a regulation to a numbered paragraph is a reference to the paragraph bearing that number in that regulation.

(7) In these Regulations any reference to the sending of a document is a reference to the sending of the document in a prepaid letter addressed, in the case of a medical practitioner, to him at the address given in the medical list in which he is included and, in the case of the Secretary of State or a Regional Health Authority, to them at their principal office.

### **Application of Regulations in Wales**

2.—(1) Subject to paragraph (2), in the application of these Regulations to any fund-holding practice whose recognition has been granted by the Secretary of State<sup>(4)</sup>, for any reference to the relevant Regional Health Authority there shall be substituted at reference to the Secretary of State.

(2) Regulations 11(4)(c)(i) and (5)(c)(i), 13(c)(i) and 14 do not apply to any fund-holding practice whose recognition has been granted by the Secretary of State.

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(4) See regulation 2 of the Application Regulations.