
STATUTORY INSTRUMENTS

1996 No. 706

**The National Health Service (Fund-
holding Practices) Regulations 1996**

PART V

ALLOTTED SUM—DETERMINATION

Determination of allotted sum

- 18.**—(1) In respect of each recognised fund-holding practice the Health Authority shall—
- (a) collect and collate any information reasonably required by the Secretary of State to enable him to make a determination of the allotted sum to be paid to that fund-holding practice;
 - (b) make any such information available to the members of the fund-holding practice and, before it makes the recommendation mentioned in sub-paragraph (c), invite the fundholding practice to make representations to it concerning either the accuracy or the significance of the information; and
 - (c) subject to any directions issued by the Secretary of State under section 15(1) of the 1990 Act, propose an allotted sum to the Secretary of State and send with its proposal—
 - (i) the information collected pursuant to sub-paragraph (a), and
 - (ii) a notice stating whether the members of the fund-holding practice agree with the sum proposed.

(2) The Secretary of State shall consider the information and the sum proposed by the Health Authority and shall, by 28th February in any year, notify the Health Authority whether or not he agrees with its proposal and, where he does not agree, he shall include a notice of his proposed allotted sum.

(3) The Health Authority shall forward the notification and, where appropriate, the Secretary of State's notice of his proposed allotted sum, to the fund-holding practice.

(4) Where the Secretary of State proposes an allotted sum which is different from that proposed by the Health Authority, the members of the fund-holding practice shall, within the period of one month beginning with the date on which the Secretary of State's notice was forwarded to them pursuant to paragraph (3), notify the Health Authority whether or not they are prepared to accept that amount and where they notify the Health Authority that they are not prepared to accept it, the Health Authority shall notify the Secretary of State.

(5) If at the time when the Secretary of State is to determine an allotted sum, his determination would differ from the sum proposed by the Health Authority or (in a case falling within paragraph (2)) from the sum which he has himself proposed, he shall first notify the members of the fund-holding practice and invite them to make representations to him; and he shall take such representations into account before making his determination.