

**2000 No. 220**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (General Medical Services)  
Amendment Regulations 2000**

<i>Made</i>	-	-	-	<i>3rd February 2000</i>
<i>Laid before Parliament</i>				<i>3rd February 2000</i>
<i>Coming into force</i>				<i>4th February 2000</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 29, 29B and 126(4) of the National Health Service Act 1977(a) hereby makes the following Regulations:

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the National Health Service (General Medical Services) Amendment Regulations 2000 and shall come into force on 4th February 2000.

(2) In these Regulations “the principal Regulations” means the National Health Service (General Medical Services) Regulations 1992(b).

**Amendment of regulation 7 of the principal Regulations**

**2.** In regulation 7 of the principal Regulations (removal from the medical list) omit “or” at the end of paragraph 1(b), and at the end of paragraph 1(c) insert—

“;

(d) has been convicted in the United Kingdom of murder; or

(e) has been convicted in the United Kingdom of a criminal offence and sentenced to a term of imprisonment of at least six months.”

**Amendment of regulation 18E of the principal Regulations**

**3.** After paragraph (1)(b) of regulation 18E(c) (criteria for approval and nomination) insert—

“(bb) if the Health Authority, having considered the declaration required by paragraph 6A of Part III of Schedule 3, consider he is unsuitable;”.

**Amendment of Schedule 3 to the principal Regulations**

**4.** In paragraph 8 of Part I of Schedule 3(d) to the principal Regulations (information to be included in a report by a Health Authority when making a reference to the Medical

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(a) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 29 was extended by the Health and Medicines Act 1988 (c. 49), section 17; and amended by the Health Services Act 1980 (c. 53), sections 1 and 7 and Schedule 1, paragraph 42(b); by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; by the Medical Act 1983 (c. 54), section 56(1) and Schedule 5, paragraph 16(a); by S.I. 1985/39, article 7(3); by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 18; and by the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”), Schedule 2, paragraph 8. Section 29B was inserted by the 1997 Act, section 32. Section 126(4) was amended by the National Health Service and Community Care Act 1990 (c. 19), section 65(2); and the Health Act 1999 (c. 8), Schedule 4, paragraph 37(6). As regards Wales, the functions of the Secretary of State under sections 29, 29B and 126(4) of the 1977 Act are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; these Regulations therefore extend only to England.

(b) S.I. 1992/635; relevant amending Regulations are S.I. 1995/3093 and S.I. 1998/2838.

(c) Regulation 18E was added to the Regulations by regulation 5(2) of and Schedule 1 to S.I. 1998/2838.

(d) Schedule 3 was substituted by S.I. 1998/2838.

Practices Committee) after “considers to be relevant” insert “, including details of the declaration made under paragraph 6A of Part III of this Schedule.”.

5. After paragraph 6 of Part III of Schedule 3 to the principal Regulations (information and undertakings to be given by a practitioner in connection with an application for nomination or approval for a practice vacancy), there shall be inserted—

“6A. Declaration as to whether—

- (a) he has been convicted of a criminal offence, bound over or cautioned in the UK or elsewhere, or is currently the subject of any proceedings which might lead to such a conviction, order to bind over or caution;
- (b) he has been, or is currently, subject to any action by his professional body or by any licensing or regulatory body in the UK or elsewhere,

and if so, give details, including approximate dates, of where the action or proceedings were or are to be brought, the nature of that action or proceedings, and any outcome.”.

Signed by authority of the Secretary of State

3rd February 2000

*John Denham*  
Minister of State, Department of Health

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the National Health Service (General Medical Services) Regulations 1992 (“the principal Regulations”), which regulate the terms on which doctors provide general medical services under the National Health Service Act 1977 (“the 1977 Act”).

Regulation 2 requires a Health Authority to remove the name of any doctor convicted of murder or convicted of a criminal offence and sentenced to at least six months’ imprisonment from its medical list.

The Regulations also impose a requirement on a doctor applying to a Health Authority for nomination or approval for a practice vacancy to make a declaration as to whether he has been convicted of any criminal offence, been bound over or cautioned, or is the subject at present of criminal proceedings, and whether he is or has been the subject of any disciplinary proceedings by his professional body or regulatory body, whether in the UK or elsewhere (regulation 5). Regulation 3 provides that the Health Authority shall not approve a doctor if they consider him unsuitable having considered the declaration. Regulation 4 provides that the details of this declaration must be included in the information provided by the Health Authority when making a reference to the Medical Practices Committee.

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