
WELSH STATUTORY INSTRUMENTS

2000 No. 1707 (W. 114)

NATIONAL HEALTH SERVICE, WALES

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

Made - - - - *21st June 2000*
Coming into force - - *1st July 2000*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by sections 29, 29B and 126(4) of the National Health Service Act 1977⁽¹⁾ and of all other powers enabling it in that behalf:—

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services) Amendment (Wales) Regulations 2000 and shall come into force on 1st July 2000.

(2) In these Regulations “the principal Regulations” (“*y prif Reoliadau*”) means the National Health Service (General Medical Services) Regulations 1992⁽²⁾.

(3) These Regulations shall apply to Wales only.

Amendment of the principal Regulations

2. At the end of regulation 2 of the principal Regulations (Interpretation) there shall be inserted the following paragraph—

(1) 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; by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; by S.I. 1985/39, article 7(3); and by the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”). 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 (in relation to England) the Health Act 1999 (c. 8), Schedule 4, paragraph 37(6). The functions of the Secretary of State under sections 29, 29B and 126(4) of the National Health Service Act 1977 (c. 49) were 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).

(2) S.I. 1992/635 (“the principal Regulations”); relevant amending Regulations are S.I. 1995/3093 and S.I. 1998/2838 (Regulation 18E was added to the principal Regulations by regulation 5(2) of and Schedule 1 to S.I. 1998/2838 and Schedule 3 to the principal Regulations was substituted by S.I. 1998/2838).

“(5) In regulations 7 and 18E and Schedule 3 the amendments made by the National Health Service (General Medical Services) Amendment Regulations 2000(3) shall also have effect in Wales.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

21st June 2000

D.Elis Thomas
The Presiding Officer of the National Assembly

(3) S.I. 2000/220.
(4) 1998 c. 38.

EXPLANATORY NOTE

(This note does not form part of the Regulations.)

These regulations have effect to 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”).

The textual amendments of the principal regulations which are made by the National Health Service (General Medical Services) Amendment Regulations 2000 (“the 2000 Regulations”) and which extend to England are made to have effect in Wales.

Regulation 2 of the 2000 Regulations 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 (by amending regulation 7 of the principal Regulations (removal from the medical list)).

Regulation 5 of the 2000 Regulations also imposes 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 (by inserting a paragraph 6A into paragraph 6 of Part III to Schedule 3 of 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)).

Regulation 3 of the 2000 Regulations provides that a Health Authority shall not approve a doctor if they consider him unsuitable having considered the declaration (by inserting a paragraph (1)(bb) into regulation 18E of the principal Regulations (criteria for approval and nomination)).

Regulation 4 of the 2000 Regulations provides that the details of this declaration must be included in the information provided by a Health Authority when making a reference to the Medical Practices Committee (by amending paragraph 8 of Part I of Schedule 3 to the principal Regulations (information to be included in a report by a Health Authority when making a reference to the Medical Practices Committee)).