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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2008 Rhif 1425 (Cy.147)**

**2008 No. 1425 (W.147)**

**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd  
Gwladol (Gwasanaethau Meddygol  
Sylfaenol) a (Rhestri Cyflawnwyr)  
(Diwygiadau Amrywiol) (Cymru)  
2008

The National Health Service  
(Primary Medical Services) and  
(Performers Lists) (Miscellaneous  
Amendments) (Wales) Regulations  
2008

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)*

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

Mae'r Rheoliadau hyn yn gwneud diwygiadau i Reoliadau penodol sy'n ymwneud â gwasanaethau meddygol sylfaenol ac i Reoliadau sy'n ei gwneud yn ofynnol bod cyflawnwyr gwasanaethau meddygol sylfaenol neu wasanaethau deintyddol sylfaenol yn cael eu cynnwys mewn rhestr cyflawnwyr a gynhelir gan Fwrdd Iechyd Lleol.

These Regulations make amendments to certain Regulations relating to primary medical services and to Regulations that require performers of primary medical or dental services are included in a performers list maintained by a Local Health Board.

Mae Rhan 2 o'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) 2004 ("y Rheoliadau Contractau GMC"). Yn benodol, mae:

Part 2 of these Regulations amends the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 ("the GMS Contracts Regulations"). In particular, it:

(a) yn gwneud diwygiadau i'r cyfeiriadau at "*incapable adults*", ac at y rhai y caniateir iddynt weithredu ar eu rhan, er mwyn adlewyrchu'r termau a ddefnyddir yn Neddf Galluedd Meddyliol 2005;

(a) makes amendments to references to "*incapable adults*", and to those who may act on their behalf, to reflect the terms used in and the provisions of the Mental Capacity Act 2005;

(b) yn gwneud diwygiadau i'r darpariaethau sy'n ymwneud â system llywodraethu clinigol y contractiwr er mwyn darparu bod rhaid i systemau o'r fath gynnwys gweithdrefnau gweithredu safonol mewn perthynas â rheoli a defnyddio cyffuriau a reolir; ac

(b) makes amendments to the provisions relating to the contractor's clinical governance system to provide that such systems must include standard operating procedures in relation to the management and use of controlled drugs; and

(c) yn gwneud mân newidiadau i'r cyfyngiadau ar y rhai sy'n gymwys i gontractio i ddarparu gwasanaethau meddygol sylfaenol ac i'r darpariaethau sy'n ymwneud â chyflwyno hysbysiadau adfer a hysbysiadau torcyfraith.

(c) makes minor changes to the restrictions on those who are eligible to contract to provide primary medical services and to the provisions relating to the service of remedial and breach notices.

Mae Rhan 3 o'r Rheoliadau hyn yn diwygio Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr Cyflawnwyr) (Cymru) 2004 ("y Rheoliadau Rhestr Cyflawnwyr"). Yn benodol:

mae rheoliadau 4A, 22, 23A a 29 o'r Rheoliadau Rhestr Cyflawnwyr wedi'u diwygio i estyn o ddeufis i dri mis y cyfnod pryd y caiff cyflawnwr ddarparu gwasanaethau meddygol neu ddeintyddol sylfaenol ac yntau heb fod ar restr cyflawnwyr.

mae rheoliad 13 o'r Rheoliadau Rhestr Cyflawnwyr wedi'i ddiwygio er mwyn ei gwneud yn glir bod cyflawnwr y mae ei enw wedi'i dynnu dros dro oddi ar restr yn dal i gael ei drin fel petai wedi'i gynnwys yn y rhestr honno mewn perthynas ag unrhyw gais y caiff y cyflawnwr ei wneud i gael ei gynnwys mewn rhestr arall; ac

mae rheoliad 22 o'r Rheoliadau Rhestr Cyflawnwyr wedi'i ddiwygio er mwyn caniatáu i feddyg, sy'n ymgymryd â'r rhan ôl-gofrestru o'r rhaglen sylfaen i feddygon sydd newydd gymhwyso, gyflawni gwasanaethau meddygol sylfaenol ac yntau heb fod yn ymarferydd cyffredinol na'i enw wedi'i gynnwys ar restr, ond dim ond i'r graddau y mae cyflawni'r gwasanaethau meddygol sylfaenol yn rhan o'r rhaglen honno.

Part 3 of these Regulations amends the National Health Service (Performers Lists) (Wales) Regulations 2004 ("the Performers Lists Regulations"). In particular:

regulations 4A, 22, 23A and 29 of the Performers Lists Regulations are amended to extend the period that a performer may provide primary medical or dental services without being on a performers list from two to three months.

regulation 13 of the Performers Lists Regulations is amended to make it clear that a performer who is suspended from a list is still treated as being included in that list in relation to any application that the performer may make for inclusion in another list; and

regulation 22 of the Performers Lists Regulations is amended so as to permit a doctor who is undertaking the post-registration part of the foundation programme for newly qualified doctors, to perform primary medical services without being a general practitioner or on a list, but only in so far as the performance of primary medical services constitutes part of that programme.

**2008 Rhif 1425 (Cy.147)**

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**Y GWASANAETH IECHYD  
GWLADOL, CYMRU**

**NATIONAL HEALTH  
SERVICE, WALES**

Rheoliadau'r Gwasanaeth Iechyd  
Gwladol (Gwasanaethau Meddygol  
Sylfaenol) a (Rhestri Cyflawnwyr)  
(Diwygiadau Amrywiol) (Cymru)  
2008

The National Health Service  
(Primary Medical Services) and  
(Performers Lists) (Miscellaneous  
Amendments) (Wales) Regulations  
2008

*Gwnaed* 3 Mehefin 2008

*Made* 3 June 2008

*Gosodwyd gerbron Cynulliad  
Cenedlaethol Cymru* 4 Mehefin 2008

*Laid before the National  
Assembly for Wales* 4 June 2008

*Yn dod i rym* 1 Gorffennaf 2008

*Coming into force* 1 July 2008

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd gan adrannau 47, 49, 63 a 203(9) a (10) o Ddeddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(1) drwy hyn yn gwneud y Rheoliadau a ganlyn:

The Welsh Ministers, in exercise of the powers conferred by sections 47, 49, 63 and 203(9) and (10) of the National Health Service (Wales) Act 2006(1) hereby make the following Regulations:

**RHAN 1**

**PART 1**

**Cyffredinol**

**General**

**Enwi, cychwyn, cymhwyso a dehongli**

**Title, commencement, application and interpretation**

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Gwasanaethau Meddygol Sylfaenol) a (Rhestri Cyflawnwyr) (Diwygiadau Amrywiol) (Cymru) 2008.

1.—(1) The title of these Regulations is the National Health Service (Primary Medical Services) and (Performers Lists) (Miscellaneous Amendments) (Wales) Regulations 2008.

(2) Daw'r Rheoliadau hyn i rym ar 1 Gorffennaf 2008.

(2) These Regulations come into force on 1 July 2008.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

(3) These Regulations apply in relation to Wales.

(4) Yn y Rheoliadau hyn—

(4) In these Regulations—

ystyr "y Rheoliadau Contractau GMC" ("*the GMS Contracts Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Contractau Gwasanaethau Meddygol Cyffredinol) (Cymru) 2004(1); ac

ystyr "y Rheoliadau Rhestri Cyflawnwyr" ("*the Performers Lists Regulations*") yw Rheoliadau'r Gwasanaeth Iechyd Gwladol (Rhestri Cyflawnwyr) (Cymru) 2004(2).

"the GMS Contracts Regulations" ("*y Rheoliadau Contractau GMC*") means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004(1); and

"the Performers Lists Regulations" ("*y Rheoliadau Rhestri Cyflawnwyr*") means the National Health Service (Performers Lists) (Wales) Regulations 2004(2).

## RHAN 2

### Diwygio'r Rheoliadau Contractau GMC

#### Diwygio rheoliad 2 o'r Rheoliadau Contractau GMC

2. Yn y diffiniad o "CCT", hepgorer y geiriau ", including any such certificate awarded in pursuance of the competent authority functions of the Postgraduate Medical Education and Training Board specified in article 20(3)(a) of that Order".

#### Diwygio rheoliad 5 o'r Rheoliadau Contractau GMC

3. Yn rheoliad 5 (amod cyffediniol sy'n ymwneud â phob contract) o'r Rheoliadau Contractau GMC, ym mharagraff (2)(i)(ii), ar ôl "Insolvency Act 1986" mewnosoder "or Schedule 2A to the Insolvency (Northern Ireland) Order 1989"(3).

#### Diwygio Atodlen 6 i'r Rheoliadau Contractau GMC

4. Yn Atodlen 6 (telerau contractiol eraill) i'r Rheoliadau Contractau GMC—

(a) ym mharagraff 15 (cais am gynnwys person ar restr cleifion)—

(i) yn lle is-baragraff (4)(b), rhodder—

"(b)on behalf of any adult who lacks the capacity to make such an application, or to authorise such an application to be made on their behalf, by a relative of that person, the primary carer of that person, a donee of a lasting power of attorney granted by that person or a deputy appointed for that person by the court under the provisions of the Mental Capacity Act 2005(4).", a

## PART 2

### Amendment of the GMS Contracts Regulations

#### Amendment of regulation 2 of the GMS Contracts Regulations

2. In the definition of "CCT", omit the words ", including any such certificate awarded in pursuance of the competent authority functions of the Postgraduate Medical Education and Training Board specified in article 20(3)(a) of that Order".

#### Amendment of regulation 5 of the GMS Contracts Regulations

3. In regulation 5 (general condition relating to all contracts) of the GMS Contracts Regulations, in paragraph (2)(i)(ii), after "Insolvency Act 1986" insert "or Schedule 2A to the Insolvency (Northern Ireland) Order 1989"(3).

#### Amendment of Schedule 6 to the GMS Contracts Regulations

4. In Schedule 6 (other contractual terms) to the GMS Contracts Regulations—

(a) in paragraph 15 (application for inclusion in a list of patients)—

(i) for sub-paragraph (4)(b), substitute—

"(b)on behalf of any adult who lacks the capacity to make such an application, or to authorise such an application to be made on their behalf, by a relative of that person, the primary carer of that person, a donee of a lasting power of attorney granted by that person or a deputy appointed for that person by the court under the provisions of the Mental Capacity Act 2005(4).", and

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(1) O.S. 2004/478 (Cy.48).

(2) O.S. 2004/1020 (Cy. 117).

(3) O.S. 1989/2405 (G.I. 19).

(4) 2005 p.9.

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(1) S.I. 2004/478 (W.48).

(2) S.I. 2004/1020 (W.117).

(3) S.I. 1989/2405 (N.I. 19)

(4) 2005 c.9.

- (ii) yn is-baragraff (6)(b), yn lle "*incapable adult*", rhodder "*an adult who lacks capacity*";
- (b) ym mharagraff 17(3) (sy'n ymwneud â gwrthod ceisiadau gan bersonau am gael eu cynnwys yn y rhestr o gleifion neu am gael eu derbyn fel preswylwyr dros dro), yn lle "*incapable adult*", rhodder "*an adult who lacks capacity*";
- (c) ym mharagraff 18(1)(a) (sy'n ymwneud ag ymarferydd o ddewis y claf), yn lle "*incapable adult*", rhodder "*an adult who lacks capacity*";
- (ch) yn lle paragraff 19(5)(b) (sy'n ymwneud â thynnu enw oddi ar y rhestr ar gais y claf), rhodder—
  - "(b) in the case of an adult patient who lacks the capacity to make the relevant request or receive the relevant advice, information or notification, a relative of that person, the primary carer of that person, a donee of a lasting power of attorney granted by that person or a deputy appointed for that person by the court under the provisions of the Mental Capacity Act 2005.";
- (d) ym mharagraff 52 (cymwysterau cyflawnwyr)—
  - (i) yn is-baragraff (2)(b), hepgorer yr "or" terfynol,
  - (ii) yn is-baragraff (2)(c)(ii) yn lle "two" rhodder "three",
  - (iii) ar ôl is-baragraff (2)(c), ychwaneger y canlynol—
    - "(d) a medical practitioner who is already included in the medical performers list of another primary care organisation and who has submitted an application to a Local Health Board in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004 until the first of the following events arises—
      - (i) the Local Health Board notifies him or her of its decision on that application; or
      - (ii) the end of a period of three months, starting with the date on which the application was submitted; or
- (e) a medical practitioner, who—
  - (i) is not a GP Registrar;
  - (ii) is undertaking a programme of post-registration supervised clinical practice supervised by the Postgraduate Medical Education and Training Board ("a post-registration programme");
- (ii) in sub-paragraph (6)(b), for "*incapable adult*", substitute "*an adult who lacks capacity*";
- (b) in paragraph 17(3) (which relates to the refusal of applications for inclusion in the list of patients or for acceptance as a temporary resident), for "*incapable adult*", substitute "*an adult who lacks capacity*";
- (c) in paragraph 18(1)(a) (which relates to patient preference of practitioner), for "*incapable adult*", substitute "*an adult who lacks capacity*";
- (d) for paragraph 19(5)(b) (which relates to removal from the list at the request of the patient), substitute—
  - "(b) in the case of an adult patient who lacks the capacity to make the relevant request or receive the relevant advice, information or notification, a relative of that person, the primary carer of that person, a donee of a lasting power of attorney granted by that person or a deputy appointed for that person by the court under the provisions of the Mental Capacity Act 2005.";
- (e) in paragraph 52 (qualifications of performers)—
  - (i) in sub-paragraph (2)(b), omit the final "or",
  - (ii) in sub-paragraph (2)(c)(ii) for "two" substitute "three",—
  - (iii) after sub-paragraph (2)(c), add the following—
    - "(d) a medical practitioner who is already included in the medical performers list of another primary care organisation and who has submitted an application to a Local Health Board in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004 until the first of the following events arises—
      - (i) the Local Health Board notifies him or her of its decision on that application; or
      - (ii) the end of a period of three months, starting with the date on which the application was submitted; or
- (e) a medical practitioner, who—
  - (i) is not a GP Registrar;
  - (ii) is undertaking a programme of post-registration supervised clinical practice supervised by the Postgraduate Medical Education and Training Board ("a post-registration programme");

- (iii) has notified the Local Health Board that he or she will be undertaking part or all of a post-registration programme in its area at least 24 hours before commencing any part of that programme taking place in the Local Health Board's area; and
- (iv) has, with that notification, provided the Local Health Board with evidence sufficient for it to satisfy itself that he or she is undergoing a post-registration programme,

but only in so far as any medical services that the medical practitioner performs constitute part of a post-registration programme." , a

- (iv) yn is-baragraff (3) ar ôl "regulation 21(2)" mewnosoder "and "primary care organisation" has the meaning given in regulation 2";

(dd)ym mharagraff 56 (amodau ar gyfer hyfforddi a chyflogi)—

- (i) yn is-baragraff (1) yn lle "(2) and (3)" rhodder "(2) to (4)",
- (ii) yn is-baragraff (3)(b) yn lle "two" rhodder "three",
- (iii) ar ôl is-baragraff (3) mewnosoder y canlynol—

"(4) Where the prospective employee is a medical practitioner who is already included in the medical performers list of another primary care organisation and who has submitted an application to the Local Health Board in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004, the requirements set out in sub-paragraph (1) shall apply with the modifications that—

- (a) the name and address provided under sub-paragraph (1) may be the name and address of the Local Health Board on whose list the medical practitioner has applied for inclusion, provided that the name and address of the primary care organisation on whose list the medical practitioner is already included is provided in addition; and
- (b) confirmation that the medical practitioner's name appears on that list shall not be required until the first of the following events arises—
  - (i) the Local Health Board notifies the medical practitioner of its decision on that application, or
  - (ii) the end of a period of three months, starting with the date on which the Local Health Board receives the application.

- (iii) has notified the Local Health Board that he or she will be undertaking part or all of a post-registration programme in its area at least 24 hours before commencing any part of that programme taking place in the Local Health Board's area; and
- (iv) has, with that notification, provided the Local Health Board with evidence sufficient for it to satisfy itself that he or she is undergoing a post-registration programme,

but only in so far as any medical services that the medical practitioner performs constitute part of a post-registration programme.", and

- (iv) in sub-paragraph (3) after "regulation 21(2)" insert "and "primary care organisation" has the meaning given in regulation 2" ;

(f) in paragraph 56 (conditions for training and employment)—

- (i) in sub-paragraph (1) for "(2) and (3)" substitute "(2) to (4)",
- (ii) in sub-paragraph (3)(b) for "two" substitute "three",
- (iii) after sub-paragraph (3) insert the following—

"(4) Where the prospective employee is a medical practitioner who is already included in the medical performers list of another primary care organisation and who has submitted an application to the Local Health Board in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004, the requirements set out in sub-paragraph (1) shall apply with the modifications that—

- (a) the name and address provided under sub-paragraph (1) may be the name and address of the Local Health Board on whose list the medical practitioner has applied for inclusion, provided that the name and address of the primary care organisation on whose list the medical practitioner is already included is provided in addition; and
- (b) confirmation that the medical practitioner's name appears on that list shall not be required until the first of the following events arises—
  - (i) the Local Health Board notifies the medical practitioner of its decision on that application, or
  - (ii) the end of a period of three months, starting with the date on which the Local Health Board receives the application.

(5) In this paragraph "primary care organisation" has the meaning given in regulation 2 of the National Health Service (Performers Lists) (Wales) Regulations 2004.";

(e) ym mharagraff 58(1) (sy'n ymwneud ag amodau ar gyfer cyflogi a chymryd pobl ymlaen), ar ôl y gair "*contract*", mewnosoder "*, other than a medical practitioner falling within paragraph 52(2)(e),*";

(f) ym mharagraff 91(b) (sy'n ymwneud â gwneud cwynion), yn lle "*is incapable of making a complaint*", rhodder "*lacks the capacity to make a complaint*";

(ff) ym mharagraff 111(2)(j)(ii) (sy'n ymwneud â seiliau eraill dros derfynu gan y Bwrdd Iechyd Lleol), ar ôl "*Insolvency Act 1986*" mewnosoder "*or Schedule 2A to the Insolvency (Northern Ireland) Order 1989*";

(g) ym mharagraffau 113(1) a (5) (sy'n ymwneud â therfynu contract gan y Bwrdd Iechyd Lleol: hysbysiadau adfer a hysbysiadau torcyfraith), yn lle "*specified in paragraphs 109 to 112*", rhodder "*specified in paragraphs 109 to 112A*";

(ng) yn lle paragraff 118(1) (sy'n ymwneud ag ymgynghori â'r Pwyllgor Meddygol Lleol), rhodder—

"(1) Whenever the Local Health Board is considering—

(a) terminating the contract pursuant to paragraph 110, 111, 112, 113(4) or (6) or 114;

(b) which of the alternative notices in writing available under the provisions of paragraph 112A it will serve; or

(c) imposing a contract sanction,

it shall, whenever it is reasonably practicable to do so, consult the Local Medical Committee for its area before it terminates the contract, serves a notice in writing or imposes a contract sanction.";

(h) ym mharagraff 119(1) (sy'n ymwneud â llywodraethu clinigol), ar ôl "effective system of clinical governance" mewnosoder "which shall include appropriate standard operating procedures in relation to the management and use of controlled drugs".

(5) In this paragraph "primary care organisation" has the meaning given in regulation 2 of the National Health Service (Performers Lists) (Wales) Regulations 2004.";

(g) in paragraph 58(1) (which relates to conditions for employment and engagement), after the word "contract", insert "*, other than a medical practitioner falling within paragraph 52(2)(e),*";

(h) in paragraph 91(b) (which relates to the making of complaints), for "is incapable of making a complaint", substitute "lacks the capacity to make a complaint";

(i) in paragraph 111(2)(j)(ii) (which relates to other grounds for termination by the Local Health Board), after "Insolvency Act 1986" insert "or Schedule 2A to the Insolvency (Northern Ireland) Order 1989";

(j) in paragraphs 113(1) and (5) (which relate to termination by the Local Health Board: remedial notices and breach notices), for "specified in paragraphs 109 to 112", substitute "specified in paragraphs 109 to 112A";

(k) for paragraph 118 (1) (which relates to consultation with the Local Medical Committee), substitute—

"(1) Whenever the Local Health Board is considering—

(a) terminating the contract pursuant to paragraph 110, 111, 112, 113(4) or (6) or 114;

(b) which of the alternative notices in writing available under the provisions of paragraph 112A it will serve; or

(c) imposing a contract sanction,

it shall, whenever it is reasonably practicable to do so, consult the Local Medical Committee for its area before it terminates the contract, serves a notice in writing or imposes a contract sanction.";

(l) in paragraph 119(1) (which relates to clinical governance), after "effective system of clinical governance" insert "which shall include appropriate standard operating procedures in relation to the management and use of controlled drugs".

**Diwygio'r Rheoliadau Rhestri Cyflawnwyr****Diwygio rheoliad 4A o'r Rheoliadau Rhestri Cyflawnwyr**

5. Yn rheoliad 4A(8)(b) (sy'n ymwneud â chais am gael ei gynnwys mewn rhestr cyflawnwyr gan gyflawnwr sydd eisoes wedi'i restru ar restr cyflawnwyr corff gofal sylfaenol), organisation), yn lle "2 months" rhodder "3 months".

**Diwygio rheoliad 13 o'r Rheoliadau Rhestri Cyflawnwyr**

6. Yn rheoliad 13 o'r Rheoliadau Rhestri Cyflawnwyr (tynnu dros dro oddi ar restr)—

- (a) ar ddechrau paragraff (9), mewnosoder "Except as provided in paragraph (9A)", a
- (b) ar ôl paragraff (9) mewnosoder—

"(9A) For the purpose of an application by a performer who is suspended under these Regulations to be included in another performers list, he or she is to be treated as still included in the list from which he or she is suspended, notwithstanding that suspension."

**Diwygio rheoliad 22 o'r Rheoliadau Rhestri Cyflawnwyr**

7. Yn rheoliad 22 o'r Rheoliadau Rhestri Cyflawnwyr—

- (a) ym mharagraff (1), yn lle "(2) and (3), rhodder "(2) to (3)";
- (b) ar ôl paragraff (2) mewnosoder y canlynol—

"(2A) A medical practitioner who falls within paragraph (2B) may perform primary medical services in the area of a Local Health Board, but only in so far as the performance of those services constitutes part of a programme of post-registration supervised clinical practice approved by the Board ("a post-registration programme").

(2B) A medical practitioner falls within this paragraph if he or she—

- (a) is not a GP Registrar;
- (b) is undertaking a post-registration programme;
- (c) has notified the Local Health Board that he or she will be undertaking part or all of a post-registration programme in its area at least 24 hours before commencing any part of that programme taking place in the Local Health Board's area; and
- (d) has, with that notification, provided the Local Health Board with evidence

**Amendment of the Performers Lists Regulations****Amendment of regulation 4A of the Performers Lists Regulations**

5. In regulation 4A(8)(b) (which relates to application for inclusion in a performers list by a performer already listed on a performers list of a primary care organisation), for "2 months" substitute "3 months".

**Amendment of regulation 13 of the Performers Lists Regulations**

6. In regulation 13 of the Performers Lists Regulations (suspension)—

- (a) at the beginning of paragraph (9), insert "Except as provided in paragraph (9A)", and
- (b) after paragraph (9) insert—

"(9A) For the purpose of an application by a performer who is suspended under these Regulations to be included in another performers list, he or she is to be treated as still included in the list from which he or she is suspended, notwithstanding that suspension."

**Amendment of regulation 22 of the Performers Lists Regulations**

7. In regulation 22 of the Performers Lists Regulations—

- (a) in paragraph (1), for "(2) and (3), substitute "(2) to (3)";
- (b) after paragraph (2) insert the following—

"(2A) A medical practitioner who falls within paragraph (2B) may perform primary medical services in the area of a Local Health Board, but only in so far as the performance of those services constitutes part of a programme of post-registration supervised clinical practice approved by the Board ("a post-registration programme").

(2B) A medical practitioner falls within this paragraph if he or she—

- (a) is not a GP Registrar;
- (b) is undertaking a post-registration programme;
- (c) has notified the Local Health Board that he or she will be undertaking part or all of a post-registration programme in its area at least 24 hours before commencing any part of that programme taking place in the Local Health Board's area; and
- (d) has, with that notification, provided the Local Health Board with evidence

sufficient for it to satisfy itself that he or she is undergoing a post-registration programme."; ac

(c) ym mharagraff (3) yn lle "2 months", rhodder "3 months".

#### **Diwygio rheoliad 23A o'r Rheoliadau Rhestri Cyflawnwyr**

8. Yn rheoliad 23A(4)(b) (sy'n ymwneud â chais am gael ei gynnwys mewn rhestr cyflawnwyr meddygol gan ymarferydd cyffredinol sydd eisoes wedi'i restru ar restr cyflawnwyr meddygol corff gofal sylfaenol), yn lle "2 months" rhodder "3 months".

#### **Diwygio rheoliad 29 o'r Rheoliadau Rhestri Cyflawnwyr**

9. Yn rheoliad 29(2) (sy'n ymwneud â'r rhestr cyflawnwyr deintyddol), yn lle "two months" rhodder "three months".

sufficient for it to satisfy itself that he or she is undergoing a post-registration programme."; and

(c) in paragraph (3)(b) "2 months", substitute "3 months".

#### **Amendment of regulation 23A of the Performers Lists Regulations**

8. In regulation 23A(4)(b) (which relates to application for inclusion in a medical performers list by a general practitioner already listed on a medical performers list of a primary care organisation), for "2 months" substitute "3 months".

#### **Amendment of regulation 29 of the Performers Lists Regulations**

9. In regulation 29(2) (which relates to the dental performers list), for "two months" substitute "three months".

*Edwina Hart*

Y Gweinidog dros Iechyd a Gwasanaethau Cymdeithasol, un o Weinidogion Cymru

Minister for Health and Social Services, one of Welsh Ministers

3 Mehefin 2008

3 June 2008

WELSH STATUTORY  
INSTRUMENTS

**2008 No. 1425 (W.147)**

**NATIONAL HEALTH  
SERVICE, WALES**

The National Health Service  
(Primary Medical Services) and  
(Performers Lists) (Miscellaneous  
Amendments) (Wales) Regulations  
2008

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