

2. The Ministry hereby approves of the management scheme dated 8th day of January, 1953, and directs that a copy of the management scheme as amended and approved by the Ministry relating to each hospital included in the First Schedule to the Principal Order shall be available at that hospital for inspection by members of the public at all reasonable times.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this third day of June One Thousand, nine hundred and fifty-three in the presence of

(L.S.)

W. McCaughey,

Assistant Secretary.

General Medical and Pharmaceutical Services

REGULATIONS, DATED 20TH MARCH, 1953, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACTS (NORTHERN IRELAND), 1948 TO 1953.

1953. No. 39

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by Sections 6, 10 and 80 of the Health Services Act (Northern Ireland), 1948 and of all other powers in that behalf enabling it, and in conjunction with the Ministry of Finance for Northern Ireland hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) (Amendment) (No. 2) Regulations (Northern Ireland), 1953, and shall come into operation on the 1st April, 1953.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2. The Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948 (a), as amended (b), shall be amended as follows :—

(1) For the definition of “ the Act ” in paragraph (1) of Regulation 2 there shall be substituted the following definition :—

“ “ the Act ” means the Health Services Acts (Northern Ireland), 1948 to 1953.”

(a) S. R. & O. (Northern Ireland) 1948 No. 147.

(b) S. R. & O. (N.I.) 1948 No. 260 ; S. R. & O. (N.I.) 1949 No. 143 ; S. R. & O. (N.I.) 1950 No. 128 ; S. R. & O. (N.I.) 1950 No. 160 ; S. R. & O. (N.I.) 1950 No. 223 ; S. R. & O. (N.I.) 1951 No. 62 ; S. R. & O. (N.I.) 1951 No. 113 ; S. R. & O. (N.I.) 1952 No. 19.

(2) The following paragraph shall be substituted for paragraph (3) of Regulation 7 :—

“ (3) The Board shall have power, subject to the terms of proviso (iii) to sub-paragraph (1) of paragraph 20 of Part I of the First Schedule to these Regulations, to exempt from liability to have persons assigned to him any practitioner who applies to the Board for that purpose.”

(3) The following paragraph shall be substituted for paragraph (3) of Regulation 8 :—

“ (3) The Board shall have power on application by a practitioner, subject to the terms of proviso (iii) to sub-paragraph (1) of paragraph 20 of Part I of the First Schedule to these Regulations, to exempt him, on the ground of age or infirmity or where he is exempted from liability to have persons assigned to him under paragraph (3) of Regulation 7, from any liability for emergency night calls to persons not on his list.”

(4) The following Regulation shall be substituted for Regulation 9 :—

“ 9.—(1) The number of persons whose names may be placed on the list of a practitioner or on the combined lists of a partnership of practitioners (hereinafter referred to as the permitted maximum) shall be limited as follows :—

- (a) in the case of a practitioner carrying on a practice otherwise than in partnership, the number of persons shall not exceed 3,500 ;
- (b) in the case of two or more practitioners carrying on practice in partnership, the number on the list of any one of such practitioners shall not exceed 4,500 and the average of the numbers on the lists of both or all the partners shall not exceed 3,500 ;
- (c) where a practitioner or a partnership of practitioners is authorised by the Board under these Regulations to employ one, or more than one, permanent assistant the additional number of persons for whose treatment the practitioner or practitioners may be responsible shall not exceed 2,000 in respect of each such assistant ;
- (d) where a practitioner employs an assistant who is also included in the Board's list as an independent practitioner, the total number on the combined lists shall not exceed 5,500, and, where two or more such assistants are employed, the total number on the combined lists shall not exceed an additional 2,000 in respect of each such additional assistant :

Provided that —

- (i) where notification is received by the Board under sub-paragraph (3) of paragraph 8 of Part I of the First Schedule to these Regulations of intention to employ

a permanent but not full time assistant, and the circumstances of the employment are, in the opinion of the Board, such as to warrant restriction of the maximum numbers which would otherwise be permissible under this Regulation upon the list or lists of the practitioner or practitioners concerned, the Board, after due notice to and consultation with the Central Medical Committee, may determine a lesser number as the appropriate maximum addition in respect of that assistant, having regard to the circumstances of the practice ;

- (ii) where a practitioner or a partnership of practitioners is in receipt of payments from the Rural Practitioners' Fund and the circumstances of the practice are, in the opinion of the Board, such as to warrant restriction of the maximum numbers which would otherwise be permissible under this Regulation on the list or lists of the practitioner or practitioners concerned, the Board, after due notice to and consultation with the Central Medical Committee, may determine a lesser number as the appropriate maximum ;
- (iii) the imposition of a limit of numbers shall not restrict a practitioner from accepting persons who apply to him as temporary residents or who are assigned to him as a temporary arrangement under Regulation 12, or exempt him from any liability to give treatment immediately necessary to any person who applies for acceptance, or to give emergency treatment under Regulation 8.

(2) If the number of persons on the list of a practitioner or on the combined lists of a partnership of practitioners exceeds the limit applicable to the practice under this Regulation further persons may not be accepted until the practitioner or practitioners have reduced the number to the permitted maximum either

- (a) by securing the services of a practitioner as a partner, or
- (b) by engaging a permanent assistant, or
- (c) by informing the Board of the names of the necessary number of persons for whom the practitioner, or practitioners, intend to discontinue responsibility for treatment. in which event the Board may thereupon give notice to the persons accordingly and inform them that they should apply to another practitioner for acceptance, provided that in the case of practitioners practising in partnership a practitioner may require the Board to state in the notice the name and address of such other partner or partners as he may specify who may be willing and entitled to accept such persons for treatment.

(3) Where the number of persons on the list of a practitioner at the 1st April, 1953, exceeds the permitted maximum he shall reduce that number so that

- (a) by the 30th September, 1953, it shall be not more than 300 in excess of the permitted maximum,
- (b) by the 31st December, 1953, it shall be not more than 200 in excess of the permitted maximum,
- (c) by the 31st March, 1954, it shall be not more than 100 in excess of the permitted maximum.

(4) (a) In the application of the preceding paragraph to a practice in which one or more permanent assistants are employed the figures referred to in sub-paragraphs (a), (b) and (c) thereof shall be increased by 150, 100 and 50 respectively for each permanent assistant employed.

(b) In the application of the preceding paragraph to the permitted maximum on the combined lists of a partnership of practitioners the figures referred to in sub-paragraphs (a), (b) and (c) thereof shall be multiplied by the sum of the number of principals engaged in the practice and half the number of permanent assistants.

(5) If, on or after the 1st April, 1954, the number on the list of a practitioner or on the combined lists of a partnership of practitioners exceeds the permitted maximum the Board may, after giving two months notice of their intention, remove such persons from the list or lists as may be required to reduce the number to the permitted maximum or, if the Board think fit, to a figure which does not exceed the permitted maximum by more than 100 for each principal and 50 for each permanent assistant (hereinafter referred to as the permitted tolerance).

(6) The Board may, on the application of a practitioner, grant an extension of the time within which reduction to the permitted maximum must be effected, if they are satisfied that there are exceptional circumstances which justify such a course.

(7) (a) For the purposes of this Regulation a practitioner shall be deemed not to be carrying on a practice in partnership unless he is in the position of a principal in connection with the practice and is entitled under a written agreement to a share in the profits whether by way of salary or otherwise which is not less than one-third of the share of the profits of the partner with the largest share. A practitioner who is not deemed to be carrying on a partnership solely for the reason that he is not entitled to such share of the profits shall be deemed for the purposes aforesaid to be an assistant.

(b) For the purposes of this Regulation a practitioner, notwithstanding that he may be referred to as a

partner in a partnership agreement, shall be deemed not to be carrying on a practice in partnership if he is in receipt of a fixed salary from another practitioner but is not entitled to a stated proportion of the profits."

(5) In Regulation 13A —

(a) the words " paragraph (1) of " shall be inserted after the word " under " in paragraph (2);

(b) the following paragraph shall be added :—

" (3) where the Board, after due enquiry, are satisfied that a person whose name is included in the list of a practitioner providing general medical services has been an inmate for two years or more of

(a) a mental hospital, or

(b) an institution for persons requiring special care

they may forthwith remove the name of that person from the practitioner's list."

(6) For Regulation 17 there shall be substituted the following Regulation :—

" 17.—(1) Except as otherwise provided in these Regulations each practitioner shall be paid a capitation fee in respect of each person for whose treatment he is responsible under sub-paragraphs (a) and (c) of paragraph 3 (1) of Part I of the First Schedule to these Regulations (hereinafter referred to as the " standard capitation fee ") and an additional capitation fee in respect of each of the number of such persons in excess of 500 but not in excess of 1,500 (hereinafter referred to as the " capitation loading "). The standard capitation fee shall be at the rate of seventeen shillings per annum and the capitation loading shall be at the rate of ten shillings per annum.

(2) A practitioner shall be entitled to claim remuneration in respect of emergency treatment and the treatment of temporary residents rendered in accordance with Regulations 8 and 15 of these Regulations and in respect of the administration of a general anaesthetic by another practitioner.

(3) The Board, with the approval of the Ministry, may, subject to the provisions of paragraph 21 of Part I of the First Schedule to these Regulations, make allowances (hereinafter referred to as Initial Practice Allowances) to practitioners who have set up new practices or have secured small existing practices.

(4) The Board, with the approval of the Ministry, may, subject to the provisions of paragraph 22 of Part I of the First Schedule to these Regulations make allowances to certain practitioners who have suffered hardship as a result of the introduction from the 1st April, 1953, of the methods of remuneration referred to in this Regulation.

(5) The Board, with the approval of the Ministry and the Ministry of Finance, may make grants to practitioners in order to

encourage the setting up of such form of practice as may be defined by the Ministry, after consultation with the recognised professional organisation, as Group Practice.

(6) The Board shall carry to a Fund (in these Regulations referred to as the "Rural Practitioners' Fund") for the purpose of payments to practitioners in respect of mileage, the yearly sum of £152,000.

(7) Where payments have been made to practitioners in accordance with paragraph (1) of this Regulation in respect of any year, the Board shall have power in any subsequent year to make such adjustment of the sums so paid as may be determined by the Ministry with the consent of the Ministry of Finance so as to secure compliance with the provisions of paragraph 3 of the Schedule to the Social Services (Agreement) Act (Northern Ireland), 1949."

(7) For Regulation 18 there shall be substituted the following Regulation :—

"18. All payments made under the preceding Regulation shall be subject to the provisions of Part I of the First Schedule to these Regulations."

(8) The following paragraph shall be substituted for paragraph 1 of Part I of the First Schedule to the Regulations :—

"1. In these terms of service, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them, that is to say :— "patient" means a person for whose treatment a practitioner is responsible under paragraph 3 of these terms of service ; "the Regulations" means the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948, as amended from time to time ; "recognised professional organisation" means any organisation, body, or committee recognised by the Minister for the purposes of the terms of service as representative of the medical profession ; "single-handed practice" means a practice in which only one practitioner is engaged ; "Mileage Fund" means Rural Practitioners' Fund and other words and expressions have the same meaning as in the Regulations."

(9) The words "subject to the provisions of paragraph 9 of these terms of service" shall be inserted at the beginning of sub-paragraph (3) of paragraph 7 of Part I of the First Schedule to the Regulations.

(10) The following shall be substituted for sub-paragraph (4) of paragraph 7 of Part I of the First Schedule to the Regulations :—

"(4) Subject to the provisions of paragraph 9 of these terms of service a practitioner is required to provide proper and sufficient surgery and waiting-room accommodation for his patients at his residence or such other place as is mentioned in sub-paragraph (3) hereof, having regard to the circumstances of his practice. Such accommodation shall not be in premises occupied by a chemist unless such premises have been approved by the Board with the consent of the Ministry."

(11) The following paragraph shall be substituted for paragraph 9 of Part I of the First Schedule to the Regulations :—

"Arrangements for Practice.

(9)—(1) A practitioner whose name was not included in the Medical List prior to the 1st April, 1953, shall not without the consent of the Board or, on appeal, of the Ministry carry on practice at any house, flat, surgery or other premises at which he has not previously provided general medical services.

(2) In considering any application for permission to carry on practice at any premises referred to in sub-paragraph (1) of this paragraph the Board shall, where appropriate, have regard to the practitioner's obligations under these terms of service and in particular his obligation to visit his patients and it may be a condition of any consent given by the Board that such patients are to be notified at the practitioner's expense of any special arrangements under which the practice is carried on."

(12) In sub-paragraph (2) of paragraph 10 of Part I of the First Schedule to the Regulations there shall be inserted after the word "partner" each time it appears the words "deputy or assistant".

(13) The following paragraph shall be substituted for paragraph 14 of Part I of the First Schedule to the Regulations :—

"Calculation of Lists

14.—(1) For the purposes only of the calculation of capitation loading under paragraph (1) of Regulation 17 of the Regulations, and without prejudice to the provisions of any partnership agreement, two or more of the practitioners comprising a partnership may apply to the Board, in such form as the Board may require, to have the numbers on their lists re-allocated between them in such proportion as they may indicate.

(2) (a) The Board shall consider any such application and in reaching their decision shall have regard to the provisions of sub-paragraph (3) of this paragraph, and to any other conditions which the Ministry may, after due notice to and consultation with the recognised professional organisation, require to be fulfilled, and any decision to grant such an application for the first time shall be subject to the approval of the Ministry.

(b) A practitioner who has made such an application shall, unless he has been informed by the Board that it has not been approved, inform them immediately of any change which has occurred in the circumstances of his practice as disclosed in the form of application.

(3) (a) No such application shall be granted unless the Board, having regard to the arrangements for practice, premises and other relevant considerations, are satisfied that each of the practitioners concerned is ordinarily taking an active part in the work of the practice.

(b) No such application shall be granted unless the Board are satisfied that each practitioner to whom the application refers is in the position of a principal in connection with the practice and is entitled under a written agreement to a share of the profits, whether by way of salary or otherwise, which is not less than one-third of the share of the profits of the partner with the largest share. For the purposes of this sub-paragraph a practitioner, notwithstanding that he may be referred to as a partner in a partnership agreement, shall be deemed not to be carrying on a practice in partnership if he is in receipt of a fixed salary from another practitioner but is not entitled to a stated proportion of the profits.

(c) No application which is approved by the Board under this paragraph shall have effect before the first day of the quarter following the receipt of the application:

Provided that applications made before the 1st July, 1953, may, at the discretion of the Board, have effect from the 1st April, 1953.

(d) Where an application is based on the formation of a new partnership or on the introduction of an additional partner into an existing partnership the Board shall not make any payment based on re-allocation of lists under sub-paragraph (1) of this paragraph until the expiration of a period of six months from the date of such formation or introduction. If it then appears to the Board that the conditions of this paragraph have not been, or are not being, fulfilled, they may thereupon withdraw their consent to the re-allocation and in such a case no payment on the basis of the re-allocation shall be due to the practitioner or practitioners but otherwise the Board may make payments retrospectively in accordance with the provisions of this paragraph.

(4) The Board shall, from time to time, review the payments based on lists re-allocated in accordance with sub-paragraph (1) of this paragraph so as to confirm that all the partners concerned are, in their view, actively engaged in practice, and that the other conditions of sub-paragraph (3) and such other conditions as are referred to in sub-paragraph (2) of this paragraph are fulfilled. If the Board decide to withdraw their consent given under this paragraph they shall give the practitioner concerned at least one calendar month's notice, and the withdrawal of consent shall take effect from the first day of the quarter following the expiration of the notice :

Provided however that where the Board have made payments to a practitioner based on such re-allocation of lists as is referred to in sub-paragraph (1) of this paragraph and are satisfied that the practitioner has given untrue or misleading information in his application or has failed to inform them of any change in the circumstances of his practice in accordance with sub-paragraph (2) (b) of this paragraph they may make such adjustments as they may consider to be appropriate, retrospectively to the date on which their consent became effective or such later date as they may determine.

(5) Application may be made to the Board at any time by the members of a partnership to have any re-allocation, made in accordance with sub-paragraph (1) of this paragraph, modified to such extent as they may indicate. The provisions of sub-paragraphs (2), (3) and (4) of this paragraph shall apply and any modification authorised by the Board shall take effect from the first day of the quarter following the expiration of three calendar months from the date of such application.

(6) A practitioner who is aggrieved by any decision of the Board under this paragraph to reject, or to withdraw their consent to, his application may appeal in writing to the Ministry within one calendar month from the date of issue by the Board of notification of the decision. On receipt of the appeal the Ministry, after due notice to and, where necessary, consultation with the recognised professional organisation, shall give its decision which shall be final.

(7) For the purpose of the calculation of capitation fees payable in accordance with paragraph (1) of Regulation 17 of the Regulations the Board shall send to each practitioner providing general medical services a statement showing the number of persons who appear to be included in his list on the first day of each quarter and the number of persons, if any, in respect of which capitation loading is payable and the practitioner shall, within ten days of the date thereof, either notify the Board that he disputes the correctness of the statement, stating his grounds therefor, or return the statement to the Board with a declaration signed by the practitioner in such form as the Board may require.

(8) Notwithstanding that the practitioners comprising a partnership may have requested re-allocation of the numbers on their lists in accordance with sub-paragraph (1) of this paragraph the capitation fees which are found to be due to the partnership on the basis of such re-allocation may be distributed to the practitioners in such proportions as they may indicate."

(14) For sub-paragraphs (i) and (ii) of paragraph 15 (2) of Part I of the First Schedule there shall be substituted the following sub-paragraphs :—

- " (i) Such part of the standard capitation fees and capitation loadings as would have been receivable by the practitioner whose name has ceased to be included in the medical list if it had continued to be included therein during the period of such arrangements, and, if such arrangements are made with more than one practitioner, in such shares as may be agreed between the practitioners with whom the arrangements have been made ; and
- (ii) such additional sums, if any, as may be determined by the Board with the approval of the Ministry."

(15) In paragraph 16 of Part I of the First Schedule the words " a fee of one guinea shall be paid out of the Practitioners' Fund " shall be deleted and the words " a fee of fifteen shillings for the administration of Nitrous Oxide or Ethyl Chloride and a fee of one

pound fifteen shillings for the administration of a general anaesthetic other than Nitrous Oxide or Ethyl Chloride shall be paid" shall be substituted.

(16) In paragraph 17 of Part I of the First Schedule—

(a) For the scale of fees there shall be substituted the following scale :—

	£	s.	d.
"(a) Emergency consultation (at any place or time) (not payable in addition to the fees at (b), (c), (d) or (e) below)	0	8	6
(b) Minor surgical operation requiring —			
General anaesthetic			
Treatment of fracture	0	15	0
Reduction of dislocation			
(c) Administration of Nitrous Oxide or Ethyl Chloride ...	0	15	0
(d) Administration of general anaesthetic other than Nitrous Oxide or Ethyl Chloride	1	15	0
(e) Emergency treatment of abortion or miscarriage where a fee is not payable therefor by a local health authority	0	15	0"

(b) In the proviso to the said paragraph 17 the words "from the Practitioners' Fund" shall be deleted.

(17) The following paragraph shall be substituted for paragraph 18 of Part I of the First Schedule to the Regulations :—

" 18.—(1) Payment in respect of the treatment of temporary residents will be at the rate of seventeen shillings for each period of three months during which treatment has been given to a temporary resident or at the rate of five shillings where the temporary resident is an inmate of a convalescent home or other institution where special arrangements for medical services are made, being a place of residence, other than a hotel or boarding house, at which ten or more persons reside temporarily and where a surgery is held at which a practitioner attends regularly. The Board may also, at their discretion, pay at the lower rate in other cases where a practitioner is known to give treatment to temporary residents who are living temporarily in groups of ten or more, on a ship or at any place within the practitioner's area of practice.

(2) Only one payment of seventeen shillings or five shillings as the case may be shall be made to any one practitioner, his partner, assistant, or deputy, for all treatment given to a temporary resident within a period of three months commencing from the date of the first treatment and, where more than one practitioner has given treatment to the same patient while temporarily resident in the area the fee shall be divided in such proportions as the practitioners may agree or, failing agreement, in such proportions as the Board may determine.

(3) A person remaining in a district for less than twenty-four hours shall be deemed not to be a temporary resident in that district within the meaning of this paragraph, and a practitioner providing emergency treatment for such a person shall be paid therefor in accordance with the scale of fees set out in the last foregoing paragraph.

(4) A practitioner desiring to claim a fee in respect of the treatment of a temporary resident shall complete and send to the Board a notification in such form and within such time as the Board may require."

(18) For paragraph 20 of Part I of the First Schedule to the Regulations there shall be substituted the following paragraph :—

" Calculation of Capitation Fees

20.—(1) Subject to the provisions of paragraph 15 payment of the capitation fees referred to in paragraph (1) of Regulation 17 of the Regulations shall be calculated with reference to the number of persons on each practitioner's list on the first day of each quarter for whose treatment he is responsible under sub-paragraphs (a) and (c) of paragraph 3 (1) of these terms of service :

Provided that —

- (i) where the number of persons on the list of a practitioner or on the combined lists of a partnership of practitioners exceeds the permitted maximum, payments shall not exceed an amount calculated by reference to the permitted maximum together with the appropriate excess permitted under paragraphs (3) (4) and (5) of Regulation 9 of the Regulations ; but this proviso shall not operate so as to prevent the Board from making capitation payments to a practitioner for the quarters ending on the 30th June, 1953, and the 30th September, 1953, in respect of numbers in excess of the permitted maximum and not in excess of the maximum which would have been applicable had the Health Services (General Medical and Pharmaceutical Services) (Amendment) (No. 2) Regulations (Northern Ireland), 1953 (a), not been made ;
- (ii) in the case of a practitioner whose list is limited to the staff of a hospital or similar institution in which he is employed or to persons resident in or connected with a school or any other institution or establishment, capitation loading shall not be payable and the standard capitation fees which would otherwise be due to him in accordance with paragraph (1) of Regulation 17 of the Regulations shall be reduced by twenty per centum ;
- (iii) the payment which would otherwise be due under paragraph (1) of Regulation 17 of the Regulations to any practitioner, other than a practitioner to whom proviso (ii) to this sub-paragraph relates, shall be reduced by ten per centum if the practitioner has been relieved under paragraph (3) of Regulation 7 of the Regulations of his liability to have persons assigned to him or if the practitioner has been exempted under paragraph (3) of Regulation 8 from liability for emergency night calls to persons not on his list.

(2) There shall be added to, or deducted from, the amount ascertained to be payable to a practitioner in accordance with the preceding sub-paragraph such sum as may be appropriate on account of anaesthetists' fees, emergency treatment, treatment of temporary residents or other such adjustments as may be required by the Regulations or the terms of service.

(3) Payment of capitation fees calculated in accordance with this paragraph shall be made as soon as may be after the end of the quarter to which they relate :

Provided that —

- (i) notwithstanding notification by a practitioner to the Board that he disputes the correctness of the statement of the number of persons included in his list, or the failure of a practitioner to return the statement in due time, in accordance with sub-paragraph (7) of paragraph 14 of these terms of service, the Board may make such provisional payment to the practitioner and may make such subsequent adjustment thereof as they may consider appropriate.
- (ii) if a practitioner can satisfy the Board that hardship or difficulty would be involved if payment were not made until the end of the quarter, the Board may make such monthly advances on account, payable at the end of each of the first two months of the quarter as they may consider appropriate ”.

(19) The following paragraph shall be substituted for paragraph 21 of Part I of the First Schedule to the Regulations:

“ *Initial Practice Allowances*

21.—(1) Where an application for an Initial Practice Allowance as referred to in paragraph (3) of Regulation 17 of the Regulations is submitted to the Board it shall be in such form as the Board with the approval of the Ministry may require.

(2) The Board shall consider such applications and shall have regard to the provisions of the following sub-paragraphs and to such other conditions as the Ministry, after consultation with the recognised professional organisation, may, from time to time, require to be fulfilled. A decision of the Board to grant any such allowance shall be subject to the approval of the Ministry.

(3) A practitioner shall not be entitled to receive an Initial Practice Allowance unless the Board are satisfied that he has either (a) set up recently or made arrangements to set up a single-handed practice in an area in which he has not previously practised or (b) secured or made arrangements to secure an existing practice single-handed; and that he has been either (i) in general practice for not less than two years whether as principal or otherwise, or (ii) registered as a medical practitioner for not less than four years.

(4) An Initial Practice Allowance may not be granted to a practitioner for a period exceeding three years.

(5) The allowance for the first year shall not exceed £600 per annum and shall not be payable until the practitioner has begun the practice to which his application refers. In the case of a practitioner securing an existing practice the Board shall, in assessing the amount of the allowance, have regard to the estimated income of the practice.

(6) The allowance for the second year shall be limited to £450 per annum or the amount required to increase the practitioner's gross professional earnings for the first year from all sources except Initial Practice Allowance, to £1,000, whichever is the less, and shall be payable only where the practitioner has at least 150 persons on his list and has submitted to the Board, in such form as the Board with the approval of the Ministry may determine, particulars of his gross professional earnings for the first year.

(7) The allowance for the third year shall be limited to £200 per annum or the amount required to increase the practitioner's gross professional earnings for the second year from all sources except Initial Practice Allowance to £1,100, whichever is the less, and shall be payable only where the practitioner has at least 500 persons on his list and has submitted to the Board in such form as the Board with the approval of the Ministry may determine particulars of his gross professional earnings for the second year.

(8) The practitioner shall as soon as may be submit to the Board in such form as the Board with the approval of the Ministry may determine a statement of gross professional earnings certified by a practising professional accountant or by the Inspector of Taxes to whom income tax returns in respect of the practice have been submitted.

(9) Payments made in accordance with sub-paragraphs (6) and (7) of this paragraph shall be subject to adjustment or withdrawal by the Board on examination of or in the absence of any such certified statement as is referred to in the preceding sub-paragraph.

(10) The Board may at their discretion continue an allowance where the number on a practitioner's list falls short of the minima referred to in sub-paragraphs (6) and (7) of this paragraph by a figure not exceeding 15 and 50 respectively. The minima may also be modified where the Board are satisfied that reasonable grounds exist for the exercise of their discretion such as illness of the practitioner.

(11) Where payment of the allowance has commenced and the Board have reason to believe that the practitioner is not engaging in single-handed practice (except where he has formed a partnership with another practitioner in receipt of an Initial Practice Allowance) they may give three months' notice of their intention to terminate the allowance.

(12) A practitioner who is dissatisfied with a decision of the Board to reject his application or to discontinue an allowance which has been granted may appeal in writing to the Ministry within one calendar month from the date of issue by the Board of notification of the decision. The Ministry shall consider the appeal in consultation where necessary with the recognised professional organisation and shall give its decision which shall be final."

(20) For paragraph 22 of Part I of the First Schedule to the Regulations there shall be substituted the following paragraph :—

" Allowances for Elderly Practitioners

22.—(1) A practitioner may apply to the Board in such manner as the Board with the approval of the Ministry may require for an allowance under paragraph (4) of Regulation 17 of the Regulations provided that—

(a) he was 65 years of age or more on the 1st April, 1953 ;

(b) he was actively engaged in a single-handed practice and indicates his intention of being so engaged during the year to which his application refers.

(2) Where the Board are satisfied that a practitioner fulfils the conditions referred to in the preceding sub-paragraph or such other conditions as the Ministry, after due notice to and consultation with the recognised professional organisation, may require to be fulfilled, they may make such payments to him for the year in respect of which the application is made as the Board with the approval of the Ministry and the Ministry of Finance may determine.

(3) The continuance of any allowances granted under this paragraph will be conditional on the practitioner submitting an application to the Board each year and on the Board being satisfied that the practitioner is continuing to provide services personally in single-handed practice.

(4) Applications for the allowance shall be made at such times in relation to the year in respect of which they are made as the Board may require.

(5) A practitioner who is dissatisfied with a decision of the Board to refuse his application or to discontinue an allowance which has been granted may appeal in writing to the Ministry within one calendar month from the date of issue by the Board of notification thereof. The Ministry shall, where necessary, consult with the recognised professional organisation and shall give its decision which shall be final."

(21) In paragraph 28 of Part I of the First Schedule to the Regulations for the words "out of the Practitioners' Fund" there shall be substituted the words "in respect of such administration".

Sealed with the Official Seal of the Ministry of Health and
Local Government for Northern Ireland, this 20th day of
March, 1953, in the presence of

(L.S.)

L. G. P. Freer,
Secretary.

Sealed with the Official Seal of the Ministry of Finance for
Northern Ireland, this 20th day of March, 1953, in the
presence of

(L.S.)

G. N. Cox,
Assistant Secretary.

REGULATIONS, DATED 31ST MARCH, 1953, MADE BY THE MINISTRY OF
HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES
ACTS (NORTHERN IRELAND), 1948 TO 1953.

1953. No. 47

The Ministry of Health and Local Government for Northern Ireland, in exercise of the powers conferred on it by Sections 6, 10 and 80 of the Health Services Act (Northern Ireland), 1948, and of all other powers enabling it in that behalf, in conjunction with the Ministry of Finance for Northern Ireland, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) (Amendment) Regulations (Northern Ireland), 1953.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations in like manner as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

2.—(1) After sub-paragraph (iv) of paragraph (1) (b) of Regulation 17 of the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948 (a) as amended by the

(a) S. R. & O. (Northern Ireland), 1948, No. 147.