



National Health Service Act 1977

1977 CHAPTER 49

PART II

GENERAL MEDICAL, GENERAL DENTAL, GENERAL OPHTHALMIC, AND PHARMACEUTICAL SERVICES

Other provisions supplementary to Part II

50 Exercise of choice of practitioner in certain cases

Regulations may provide that, where a right to choose the person by whom services are to be provided under this Part of this Act is conferred by or under this Part, that right shall, in the case of such persons as may be specified in the regulations, be exercised on their behalf by other persons so specified.

51 University clinical teaching and research

It is the Secretary of State's duty to make available, in premises provided by him by virtue of this Act, such facilities as he considers are reasonably required by any university which has a medical or dental school, in connection with clinical teaching and with research connected with clinical medicine or, as the case may be, clinical dentistry.

52 Use of accommodation

If the Secretary of State considers that any accommodation provided by him by virtue of this Act is suitable for use in connection with the provision of general medical services, general dental services, general ophthalmic services or pharmaceutical services he may make the accommodation available on such terms as he thinks fit to persons providing any of those services.

53 Immunisation

Where the Secretary of State arranges with medical practitioners for the vaccination or immunisation of persons against disease, he shall so far as reasonably practicable give every medical practitioner providing general medical services an opportunity to participate in the arrangements.

54 Prohibition of sale of medical practices

- (1) Where the name of any medical practitioner is or has been at any time entered on any list of medical practitioners undertaking to provide general medical services, it shall be unlawful subsequently to sell the goodwill or any part of the goodwill of the medical practice of that medical practitioner.

This subsection is subject to subsections (2) and (3) below ; and the additional provisions contained in Schedule 10 to this Act have effect for the purposes of this section.

- (2) Where a medical practitioner, whose name has ceased to be entered on any list of medical practitioners undertaking to provide general medical services, practises in the area of an Area Health Authority (or of an Executive Council, before its abolition under section 14 of the National Health Service Reorganisation Act 1973) on whose list his name has never been entered, subsection (1) above does not render unlawful the sale of the goodwill or any part of the goodwill of his practice in that area.
- (3) Subsection (1) does not prevent the sale of the goodwill or any part of the goodwill of a medical practice carried on in any area, being a sale by a medical practitioner whose name has never been entered on a list of an Area Health Authority (or of an Executive Council, before its abolition) for that area of medical practitioners undertaking to provide general medical services, notwithstanding that any part of the goodwill to be sold is attributable to a practice previously carried on by a person whose name was entered on such a list.

55 Decision of disputes

Any dispute arising under this Part of this Act or any regulation made under this Part between an Area Health Authority and a person receiving, or claiming that he is entitled to receive, any services under this Part shall be referred to and decided by the Secretary of State.

56 Inadequate services

If the Secretary of State is satisfied, after such inquiry as he may think fit, as respects any area or part of an area of an Area Health Authority that the persons whose names are included in any list prepared under this Part of this Act—

- (a) of medical practitioners undertaking to provide general medical services,
- (b) of dental practitioners undertaking to provide general dental services,
- (c) of persons undertaking to provide general ophthalmic services, or
- (d) of persons undertaking to provide pharmaceutical services,

are not such as to secure the adequate provision of the services in question in that area or part, or that for any other reason any considerable number of persons in any such area or part are not receiving satisfactory services under the arrangements in force under this Part, then—

- (i) he may authorise the Area Health Authority to make such other arrangements as he may approve, or may himself make other arrangements, and
- (ii) he may dispense with any of the requirements of regulations made under this Part so far as appears to him necessary to meet exceptional circumstances and enable such arrangements to be made.