
 STATUTORY INSTRUMENTS

1975 No. 719

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The National Health Service (General Medical and
Pharmaceutical Services) Amendment Regulations 1975**

<i>Made</i> - - - -	30th April 1975
<i>Laid before Parliament</i>	19th May 1975
<i>Coming into Operation</i>	1st July 1975

The Secretary of State for Social Services in exercise of powers conferred by the provisions respectively set out in Column 1 of Part I of the Schedule to these regulations as amended by the provisions in Column 2 of the said Part set out against those provisions, and now vested in her^(a) and of powers conferred on her by the provisions set out in Part II of the said Schedule and of all other powers enabling her in that behalf, hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) Amendment Regulations 1975 and shall come into operation on 1st July 1975.

Interpretation

2. The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889^(b) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

Amendment of regulations

3. The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974^(c) shall be amended as follows:—

(1) in regulation 2(1) (Interpretation)—

(a) in the definition “medical card” after the words “other than” there shall be inserted—

“contraceptive services and”;

(b) in the definition “treatment” after the words “does not include” there shall be inserted—

“contraceptive services or”;

(2) for regulation 3 (Terms of service) there shall be substituted—

“Scope of services

3.—(1) The services, arrangements for the provision of which by doctors it is the duty under section 33 of the Act of an Authority to make and under section 7(3) of the National Health Service Reorganisation Act 1973^(d)

(a) See Secretary of State for Social Services Order 1968 (S.I. 1968/1699 (1968 III, p. 4585)) Article 2.

(b) 1889 c. 63.

(c) S.I. 1974/160 (1974 I, p. 490).

(d) 1973 c. 32.

of the Committee to administer, shall include—

(a) all necessary and appropriate personal medical services of the type usually provided by general medical practitioners; and

(b) giving advice to women on contraception, the medical examination of women seeking such advice, the treatment of such women and provision for the supply to such women of contraceptive substances and appliances (which services are hereinafter referred to as 'contraceptive services').

(2) The arrangements to which paragraph (1) refers shall incorporate the terms of service.”:

(3) for regulation 4(2) (Medical list) there shall be substituted—

“(2) The medical list shall in respect of the doctors whose names are included thereon—

(a) indicate which of them are on the obstetric list and who have undertaken to provide either general medical services including maternity medical services or general medical services limited to maternity medical services;

(b) indicate, except in the case of a doctor who has requested otherwise, which of them have undertaken to provide contraceptive services and shall distinguish between those doctors who have so undertaken in respect only of patients for whom they have also undertaken other personal medical services and those doctors who have so undertaken without such restriction.”:

(4) for regulation 6(1) (Withdrawal from the medical list) there shall be substituted—

“Amendment of or withdrawal from the medical list

6.—(1) A doctor may subject to paragraph (4) at any time give notice to the Committee that he wishes—

(a) to amend the particulars included on the medical list relating to the provision by him of personal medical services by including, or excluding, or limiting that provision to maternity medical services or contraceptive services distinguished in accordance with regulation 4(2)(b) or both of those services; or

(b) to withdraw his name from the medical list.”:

(5) for regulation 14 (Application for acceptance by doctor) there shall be substituted—

“Application for acceptance by doctor

14.—(1) Subject to regulation 18, application to a doctor for inclusion on his list shall be made by delivering to the doctor a medical card or a form of application signed (in either case) by the applicant or a person authorised on his behalf.

(2)(a) A woman may apply to a doctor who has undertaken to provide contraceptive services (whether or not she is included in the list of a doctor for the provision of other personal medical services) to be accepted by him for the provision to her of contraceptive services;

(b) such application shall be for the provision of such services for a term of 12 months from the date of acceptance; so however that either the woman or the doctor may terminate the provision to her by him of such services at any time during the term of 12 months;

- (c) on any such termination or at the end of the term of 12 months whichever first occurs the woman may apply or re-apply to a doctor to be accepted by him for the provision to her of such services and sub-paragraph (b) above shall apply to such further application.”:
- (6) in regulation 16(1) (Assignment of persons to doctors) for the Proviso there shall be substituted—
- “Provided that—
- (i) a doctor shall not be required to provide contraceptive services for a patient assigned to him under this paragraph, unless pursuant to the provisions of regulation 14(2), he accepts her for the provision of such services;
 - (ii) a person shall not, without the consent of the Secretary of State, be assigned under this paragraph to a doctor whose list exceeds the maximum permitted by these regulations.”:

(7) in regulation 17(1) (Limitation of number of persons on doctors' lists) after the words “terms of service” there shall be inserted—

“and in addition to any persons whom he has accepted for the provision of contraceptive services only”:

(8) at the end of regulation 21 (Arrangements for temporary residents) there shall be added the following paragraph—

“(3)(a) A woman to whom paragraphs (1) and (2) would apply if she required treatment, may apply to a doctor who has undertaken to provide contraceptive services in an area in which she is temporarily resident, to be accepted by him for the provision to her as a temporary resident of contraceptive services.

(b) Where a woman has been accepted by a doctor for the provision to her of contraceptive services under regulation 14(2), the provisions of paragraph (2) shall apply to terminate that provision as they apply to the removal of a patient from a doctor's list.”:

(9) in regulation 24 (Payments to doctors) after sub-paragraph (i) there shall be added the following sub-paragraph—

“(j) fees for contraceptive services;”:

(10) in regulation 25 (Terms of service) for the words “shall incorporate the terms of service” there shall be substituted—

“(a) shall include provision for the supply of contraceptive substances and appliances, and

(b) shall incorporate the terms of service.”:

(11) at the end of regulation 26 (Pharmaceutical list) there shall be added the following paragraph—

“(3) A chemist may at any time give notice in writing to the Committee that he wishes to be included in or excluded from the arrangements to which regulation 25(a) refers.”:

(12) in Part VII (Chemists) after regulation 29 there shall be inserted—

“*Interpretation*

29A.—In this part of these regulations, the word “drugs” shall include contraceptive substances and the word “appliances” shall include contraceptive appliances.”:

(13) at the end of regulation 30 (Arrangements for supply by doctors of drugs and appliances) there shall be added—

“(7) In this regulation, the word “drugs” shall include contraceptive substances and the word “appliances” shall include contraceptive appliances.”:

(14) in Schedule 1 Part I (Terms of service for doctors)—

(a) in paragraph 4 for sub-paragraph (1)(k) there shall be substituted—

“(k) in respect of contraceptive services and maternity medical services, women for whom he has undertaken to provide either or both of such services; and”;

(b) in paragraph 13 for the words “Except in any emergency” to the words “undertaken to do so” there shall be substituted—

“This paragraph shall not impose an obligation on the doctor to provide contraceptive services, nor, except in an emergency, maternity medical services unless he had undertaken to provide such services.”;

(c) in paragraph 32, sub-paragraph (g) shall be deleted;

(d) in paragraphs 35 and 36 the word “listed” wherever it occurs shall be deleted;

(e) after paragraph 38 there shall be added—

“38A. For the purposes of paragraphs 36 and 38 in relation to prescribing or dispensing by a doctor who has undertaken the provision of contraceptive services, the word “drugs” shall include contraceptive substances and the word “appliances” shall include contraceptive appliances.”:

(15) for Schedule 1 Part II (Form of application for inclusion in medical list) there shall be substituted—

(16) in Schedule 1 Part III (Form of application for filling a vacancy) paragraph 8 shall be deleted and for Part B and Appendix there shall be substituted—

“

PART B

(to be completed only by applicants whose names are NOT included on the medical list of the Committee's area)

1. If I am selected for the vacancy—

(1) I apply to be included on the list of doctors undertaking to provide—

general medical services	$\left\{ \begin{array}{l} \text{*excluding} \\ \text{*including} \\ \text{*limited to} \end{array} \right\}$	maternity medical services,
		contraceptive services—
		(a) $\left\{ \begin{array}{l} \text{*excluding} \\ \text{*including} \end{array} \right\}$ the fitting of intra-uterine devices,
		(b) $\left\{ \begin{array}{l} \text{*restricted} \\ \text{*not restricted} \end{array} \right\}$ to patients to whom I provide other personal medical services,

for persons in the Committee's area.

(2) I accept service under, and agree to be bound by, the terms of service for the time being in operation in the area; and

(3) I *am/am not approved by a Local Obstetric Committee and *intend/do not intend to apply to the Local Obstetric Committee for approval of my obstetric experience.

2. Name of any other Family Practitioner Committee(s) on whose list my name is included:—.....

3. Particulars of any applications still outstanding for inclusion of my name on the medical list of a Family Practitioner Committee:—.....

Date:—..... Signed:—.....

APPENDIX

Statement of Professional Experience

Please separate into—

1. Trainee or assistant experience in general practice
2. General practice experience
3. Hospital appointments
4. Other (including obstetric) experience
5. Any other additional supporting particulars

stating in each case the dates of start and finish of each period of experience or appointment mentioned. If applicant has been a trainee general practitioner or an assistant state name and address of principal.

*Delete as appropriate

(17) in Schedule 4 Part I (Terms of service for chemists)—

(a) at the end of paragraph 1 there shall be added—

“(7) except in the case of a chemist who has notified the Committee pursuant to regulation 26(3) that he wishes to be excluded from the arrangements to which regulation 25(a) refers, the word “drugs” shall include contraceptive substances and the word “appliances” shall include contraceptive appliances.”.

(b) in paragraph 2(1) for the words “drugs, listed drugs and medicines or listed appliances” there shall be substituted—

“drugs, appliances or listed drugs and medicines”.

30th April 1975.

Barbara Castle,
Secretary of State for Social Services.

SCHEDULE

PART I

Column 1	Column 2
National Health Service Act 1946(a) section 33, 38, 39, 74,	National Health Service Reorganisation Act 1973(b) section 57(1) and Schedule 4 paragraph 19; section 42; section 57(1) and Schedule 4 paragraph 24; section 57(1) and Schedule 4 paragraph 36.

PART II

National Health Service Reorganisation Act 1973, section 7(3).

(a) 1946 c. 81.

(b) 1973 c. 32.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for contraceptive services to be included in the personal medical services given by general medical practitioners by arrangement with Family Practitioner Committees. They provide that such services are to be available for women and to be so available for 12 months at any one time; for the termination of arrangements between women and doctors for such services and for women who are temporarily resident away from their homes to be able to obtain such services from another doctor. They also provide for the related supplies of contraceptive substances and appliances to be available through chemists providing pharmaceutical services.

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