
STATUTORY INSTRUMENTS

1992 No. 635

**The National Health Service (General
Medical Services) Regulations 1992**

PART II

THE MEDICAL LIST

Medical list

- 4.—(1) An FHSA shall prepare a list, to be called the medical list, of—
- (a) doctors entitled, pursuant to section 30 of the Act, to have their names included in the list; and
 - (b) doctors for the time being appointed under regulation 25.
- (2) The medical list shall be divided into five parts, as follows:—
- (a) part I shall contain the names of doctors who are full-time doctors;
 - (b) part II shall contain the names of doctors who are three-quarter-time doctors;
 - (c) part III shall contain the names of doctors who are half-time doctors;
 - (d) part IV shall contain the names of doctors who are job-sharing doctors; and
 - (e) part V shall contain the names of doctors who are restricted doctors.
- (3) An FHSA shall, when including the name of any doctor in its medical list, assign the name to that part of the list which is, by virtue of paragraph (2), appropriate in the case of that doctor, having regard to the nature of any condition imposed or treated as imposed in relation to him by the Medical Practices Committee under regulation 15.
- (4) In respect of any doctor whose name is included in it, the medical list shall indicate—
- (a) if he is on any of the child health surveillance list, the obstetric list or the minor surgery list;
 - (b) if the general medical services he has undertaken to provide include, exclude or are limited to maternity medical services;
 - (c) except in the case of a doctor who has requested otherwise, if he has undertaken to provide contraceptive services, and if so—
 - (i) whether he has so undertaken in respect only of patients for whom he or his partners have also undertaken to provide other general medical services, or
 - (ii) whether he has so undertaken without such restriction;
 - (d) if he has been relieved of the responsibility for providing services during certain times under paragraph 18(2) of the terms of service and the name of the doctor with whom the FHSA has made arrangements for the provision of services during such times;
 - (e) if he is included in the medical list by virtue of his appointment under regulation 25; and
 - (f) if he is a restricted list principal or a restricted services principal, and if so, the nature of the restricted list or, as the case may be, of the restricted services.

(5) In addition to the name of the doctor and any information required to be included by virtue of paragraph (4), the medical list shall contain—

- (a) the address of the practice premises where he agrees to attend for the purpose of treating persons, and the telephone numbers at which he is prepared to receive messages;
- (b) particulars of the days and hours when he agrees to be in attendance at such premises;
- (c) particulars of any days and hours when an appointments system is in operation;
- (d) where he practises in partnership, the name of each partner;
- (e) where he participates in a group practice, the name of each other doctor in that group practice;
- (f) an indication of the geographical boundary of his practice area by reference to a sketch, diagram or plan and details of any conditions as to his practice area attached to the granting of his application by the Medical Practices Committee or, on appeal, by the Secretary of State;
- (g) if the FHSA thinks fit, details of that part of the locality in which the doctor undertakes to provide treatment; and
- (h) provided that the doctor consents to its inclusion, his date of birth, or, if he does not so consent, the date of his first full registration as a medical practitioner (whether pursuant to the Medical Act 1983(1) or otherwise).

Application for inclusion in the medical list or to succeed to a vacancy

5.—(1) An application by a doctor for the inclusion of his name in the medical list shall be made except in a case to which paragraph (2) applies, by sending to the FHSA an application in writing which shall include the information and undertakings specified in Part I of Schedule 3.

(2) An application by a doctor—

- (a) to succeed to a practice declared vacant; or
- (b) to fill a vacancy which has arisen where the Medical Practices Committee has resolved that an additional doctor is required in a locality otherwise than in succession to another doctor,

shall be made, by sending the application to the FHSA by no later than the date specified in the notice given under regulation 12 in respect of the vacancy to which the application relates, or within such further period as that FHSA may for reasonable cause allow, and shall include the information and undertakings specified in Part II of Schedule 3.

(3) On receiving an application under paragraph (1) the FHSA shall, subject to section 30(1A) of the Act(2) (which contains requirements as to knowledge of English), forthwith send the application to the Medical Practices Committee together with a report containing the information specified in Part IIIA of Schedule 3.

(4) Where a doctor makes an application for the inclusion of his name in the medical list of more than one FHSA, the FHSA in whose locality resides the largest number of individuals who are expected to be on his list of patients, shall send to the Medical Practices Committee the report mentioned in paragraph (3) and any other FHSA shall send the application to the Medical Practices Committee together with a report containing the information specified in Part IIIB of Schedule 3.

(5) Where a doctor makes an application for the inclusion of his name in the medical list only as a restricted list principal the FHSA shall send the application to the Medical Practices Committee together with a report containing the information specified in Part IIIC of Schedule 3.

(1) 1983 c. 54.

(2) Section 30(1A) was added by the Health and Social Security Act 1984, Schedule 3.

(6) Where a doctor makes an application for the inclusion of his name in the medical list only as a restricted services principal, the FHSA shall send the application to the Medical Practices Committee together with a report containing the information specified in Part IIID of Schedule 3.

(7) Before making a report under paragraph (3), (4), (5) or (6), the FHSA shall consult the Local Medical Committee.

(8) Where a report mentioned in paragraph (3), (4), (5) or (6) does not support a doctor's application under paragraph (1), the FHSA shall send to the doctor a copy of that part of the report which does not support his application and the doctor may, within 14 days of receiving it, send to the Medical Practices Committee his representations in writing in response to that report.

(9) In paragraph (2)(a) and in paragraph 14(5) of the terms of service "practice declared vacant" means a practice—

- (a) which has been rendered vacant by—
 - (i) the death of a doctor included in the medical list by virtue of regulation 4(1)(a), or
 - (ii) the withdrawal or removal of such a doctor from the medical list; and
- (b) as respects which the Medical Practices Committee has resolved that a doctor is required to fill the vacancy.

Amendment of or withdrawal from the medical list

6.—(1) A doctor shall, unless it is impracticable for him to do so, give notice to the FHSA within 28 days of any occurrence requiring a change in the information recorded about him in the medical list.

(2) A doctor shall, unless it is impracticable for him to do so, give notice in writing to the FHSA at least 3 months in advance of any date on which he intends either—

- (a) to withdraw his name from any of the medical list, the child health surveillance list, the obstetric list or the minor surgery list; or
- (b) to cease to provide any of the following services, namely child health surveillance services, contraceptive services, maternity medical services, or minor surgery services.

(3) Subject to paragraph (6), the FHSA shall—

- (a) on receiving notice from any doctor pursuant to paragraph (1), amend the medical list in relation to that doctor; and
- (b) in the case of a notice pursuant to paragraph (2), so amend the medical list, the child health surveillance list, the obstetric list or the minor surgery list, as the case may be, either—
 - (i) on the date which falls 3 months after the date of the notice, or
 - (ii) on the date from which the FHSA has agreed that the withdrawal or cessation shall take effect,

whichever is the earlier.

(4) Any notice pursuant to paragraph (2) may not be withdrawn except with the consent of the FHSA.

(5) Where the Medical Practices Committee notifies the FHSA that, in relation to any doctor whose name is included in the medical list, it has varied under regulation 16 any condition mentioned in paragraph (1)(a)(i) of that regulation, the FHSA shall amend the medical list by transferring the name of that doctor to that part of the list which, having regard to the nature of the condition as varied, is appropriate in his case by virtue of regulation 4(2).

(6) Where, in relation to any doctor, representations are made to the Tribunal under section 46 of the Act⁽³⁾ (disqualification of practitioners) that his continued inclusion in the medical list would be prejudicial to the efficient provision of general medical services, the doctor shall not, except with the consent of the Secretary of State, be entitled to have his name removed from the medical list until the proceedings on those representations have been determined.

Removal from the medical list

7.—(1) Where an FHSA determines that a doctor whose name has been included in its medical list—

- (a) has died;
- (b) is no longer a doctor; or
- (c) is the subject of a direction given by the Professional Conduct Committee under section 36 of the Medical Act 1983⁽⁴⁾ (erasure of name from the register or suspension of registration) or of an order made by that Committee under section 38(1) of that Act (immediate suspension),

it shall remove his name from the medical list with effect from the date of its determination or, where sub-paragraph (c) applies, the date on which the direction or order takes effect, if that date is later than the date of the FHSA's determination.

(2) Where an FHSA determines, in accordance with paragraphs (3) and (4), that a doctor whose name has been included in the medical list for the preceding six months has not during that period provided any general medical services personally, the FHSA may remove his name from the medical list.

(3) In calculating the period of six months referred to in paragraph (2) the FHSA shall disregard—

- (a) any period during which the doctor provided no general medical services by reason only that his registration as a medical practitioner was suspended as mentioned in section 29(8) of the Act⁽⁵⁾ (suspension by direction or order of the Health Committee or by interim order of the Preliminary Proceedings Committee); and
- (b) any period during which the doctor was performing relevant service.

(4) Before making any determination under paragraph (2) the FHSA shall—

- (a) give the doctor 28 days' notice of its intention;
- (b) afford the doctor an opportunity of making representations to the FHSA in writing or (if he so wishes) in person; and
- (c) consult the Local Medical Committee.

(5) Where under paragraph (2) the FHSA determines to remove a doctor's name from its medical list it shall give notice in writing of its determination to the doctor together with the reasons for it and inform him of his right of appeal under paragraph (6).

(6) A doctor to whom a notice has been given under paragraph (5) may, within 21 days of receipt of the notice, appeal to the Secretary of State against the decision of the FHSA, and the FHSA shall not remove the doctor from the medical list until—

- (a) if no appeal is made, the expiration of the period of 21 days; or
- (b) if an appeal is made, the appeal is determined.

(7) An appeal under paragraph (6) shall be made in writing and shall set out the grounds of appeal.

⁽³⁾ Section 46 was amended by Schedule 8 to the Health and Social Security Act 1984 (c. 48) and by S.I.1985/39, article 7(16).

⁽⁴⁾ 1983 c. 54.

⁽⁵⁾ Section 29(8) was amended by paragraph 2(2) of Schedule 6 to the Health and Social Services and Social Security Adjudications Act 1983 (c. 41).

(8) On any appeal pursuant to paragraph (6), the Secretary of State may hold an oral hearing of the appeal and in such a case shall—

- (a) appoint one or more persons to hear the appeal who shall report to him on the appeal; and
- (b) not less than 14 days before the date fixed for the hearing, give notice in writing to the appellant and to the FHSA.

(9) Where the Secretary of State holds an oral hearing of an appeal pursuant to paragraph (8), the appellant and the FHSA may be represented by counsel, solicitor or any other person.

(10) Where the Secretary of State allows the appeal, he shall direct the FHSA not to remove the doctor's name from the medical list.

(11) The FHSA shall remove from the medical list the name of any doctor who has attained the age of 70 years, with effect from the date on which he attained that age.

(12) The FHSA shall give to any doctor whose name is to be removed from the medical list in accordance with paragraph (11)—

- (a) notice in writing to that effect not less than 12 months nor more than 13 months before the date on which his name is to be removed; and
- (b) a further such notice not less than 3 months nor more than 4 months before that date,

but the failure to give notice to any doctor as required by sub-paragraph (a) or (b) shall not prevent the removal of that doctor's name from the medical list in accordance with paragraph (11).

Local directory of family doctors

8.—(1) Subject to the requirements of this regulation and regulation 9, an FHSA shall prepare, and thereafter maintain, in addition to the medical list, a list to be known as the local directory of family doctors comprising, in respect of each doctor whose name is included in its medical list, the following information:—

- (a) all the information included in respect of the doctor in the medical list of the FHSA, other than—
 - (i) information included pursuant to regulation 4(4)(d), and
 - (ii) his date of birth, unless the doctor has agreed to its inclusion in the local directory;
- (b) where the doctor's date of birth is included in the medical list but he has not agreed to its inclusion in the local directory, the date of his first full registration as a medical practitioner whether pursuant to the Medical Act 1983(6) or otherwise;
- (c) the sex of the doctor;
- (d) details of any medical qualification held by the doctor which he is entitled to have registered pursuant to section 16 of the Medical Act 1983 (registration of qualifications), including the date on which the qualification was awarded;
- (e) the nature of any clinic provided by the doctor for his patients and the frequency with which it is held;
- (f) the number of assistants and trainee general practitioners employed by him;
- (g) details of—
 - (i) the number of other persons employed or available at his practice premises to assist him in the discharge of his obligations under the terms of service,
 - (ii) the nature of the services provided by each such person, and
 - (iii) the average number of hours normally worked by each such person during any week;

- (h) the terms of any consent granted to the doctor by the FHSA or, on appeal, by the Secretary of State, pursuant to paragraph 22 of the terms of service, concerning the use of a deputising service; and
- (i) where, and to the extent that, the doctor so requests—
 - (i) details of any languages, other than English, spoken by the doctor or by any person referred to in sub-paragraphs (f) or (g), and
 - (ii) details of any particular clinical interests of the doctor.
- (2) Paragraph (1) shall apply in the case of a restricted list principal or a restricted services principal only to the extent that the FHSA sees fit.
- (3) The FHSA may, to the extent that it sees fit, also include in the local directory other details or material relating to general medical services, general dental services, general ophthalmic services and pharmaceutical services in its locality.
- (4) The local directory shall include the name of each doctor in alphabetical order.
- (5) Where a doctor practises in partnership or in a group practice with other doctors, the information regarding his practice which falls to be included in the local directory pursuant to paragraph (1)(e), (f), (g), (h) and (i) may, provided each doctor in the partnership or, as the case may be, the group practice agrees, be included in the entry relating to only one of those doctors.
- (6) Notwithstanding the provisions of regulation 37, the FHSA may compile extracts from the information in the local directory by reference to geographical areas of the FHSA's locality, and may make any such extracts available to persons to whom, in the opinion of the FHSA, it is likely to be of interest.

Amendment of local directory

- 9.—(1) A doctor shall, unless it is impracticable for him to do so, notify the FHSA within 28 days of any occurrence requiring a change in the information recorded about him in the local directory.
- (2) The FHSA shall, in the event of a notification pursuant to paragraph (1), make any necessary amendment to the local directory.