1991 No. 476

HEALTH AND PERSONAL SOCIAL SERVICES

General Medical and Pharmaceutical Services (Amendment No. 3) Regulations (Northern Ireland) 1991

Made . . . . . *24th October 1991*

Coming into operation . . *1st November 1991*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 56(2), 63, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel(**b**) and after consultation with such organisations as appeared to the Department to be representative of the Medical and Pharmaceutical professions, as required by Articles 56(5) and 63(3) of the said Order, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the General Medical and Pharmaceutical Services (Amendment No. 3) Regulations (Northern Ireland) 1991, and shall come into operation on 1st November 1991.

(2) In these regulations "the principal regulations" means the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973(**c**).

Amendment of regulation 4 of the principal regulations

2. In regulation 4 (medical list)—

(*a*) in paragraph (1)(*a*) the words "having made the appropriate application" shall be deleted;

(*b*) paragraph (2) shall be omitted;

(*c*) the following paragraph shall be substituted for paragraph (3):—

"(3) Any doctor, resident in Northern Ireland, who is not disqualified under Schedule 11 to the Order, and who wishes to be included in the medical list shall apply on a form approved by the Department and available from the Board. Application shall be made

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(**a**) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1978/1907 (N.I. 26), S.I. 1981/432, S.I. 1986/2023 (N.I. 20), S.I. 1986/2229 (N.I. 24), S.R. 1987 No. 457, S.I. 1988/2249 (N.I. 24) and S.I. 1991/194 (N.I. 1)

(**b**) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3

(**c**) S.R. & O. (N.I.) 1973 No. 421; relevant amending regulations are S.R. 1975 No. 180, S.R. 1981 No. 229, S.R. 1983 No. 182, S.R. 1985 Nos. 69, 131, and 318, S.R. 1986 Nos. 65, 170, and 289, S.R. 1987 Nos. 1 and 323, S.R. 1988 No. 246, S.R. 1989 Nos. 11 and 454, S.R. 1990 Nos. 157 and 428 and S.R. 1991 No. 97

to the Board for the area in which the doctor's surgery or main surgery is or is to be situated. The Board shall grant such application only if it is satisfied, after consulting the Medical Committee constituted under regulation 5, that the inclusion of the doctor in the medical list is necessary or expedient to secure the due discharge by it of its duty under Article 56(1) of the Order.''.

Amendment of regulation 12 of the principal regulations

3. In regulation 12 (Appeal to the Department) in paragraph (1) after ''Regulations'' there shall be inserted ''4(3),''.

Amendment of Schedule 3A to the principal regulations

4.—(1) In Schedule 3A (drugs and other substances not to be prescribed for supply under pharmaceutical services)—

(*a*) the following entries shall be omitted—

Fiberform
Forceval Capsules
Forceval Junior Capsules
Fortimel
Fresubin 750
Maxisorb
Tonexis HP;

(*b*) the following entries shall be inserted at the appropriate point in the alphabetical order—

Actomite
Almay Aftersun Soother
Almay Face Powder
Beechams Powders Capsule Form
Boots No 7 Vitamin E Skin Cream
Christy's Rich Lanolin
Christy's Skin Emulsion
Cidex Longlife
Cidex Sterilising Solution
4711 Cologne
Communion Wafers
Coppertone Apres Plage Aftersun Milk
Cuticura Talcum Powder
Dietade Diabetic Jam
Dietade Diabetic Marmalade
Dietade Diabetic Squash
Dietade Fruit Sugar
Dietade Jelly Crystals
Efamol Marine Capsules

Efamol Oil
Efamol Plus Capsules
Efamol PMP
Emuwash
Fade Out Skin Lightening Cream
Gevral Tablets
GF Brand Baking Powder
GF Brand Banana Cake
GF Brand Cooking Crumbs
GF Brand Date & Walnut Cake
GF Brand Ginger Cake
GF Brand Gravy Mix
GF Brand Hot Breakfast Cereal
GF Brand Lemon Cake
Heinz Weight Watcher Baked Beans
Inoven Caplets
Jochem Hormone Hair Preparation
Jolen Creme Bleach
Juvela Gluten-Free Sage & Onion Stuffing Mix
Lamberts L-Threonine 500 mg Capsules
Lamberts Protein Deficiency Formula Capsules
London Herb and Spice Herbal Tea Bags
L-Threonine Capsules
L-Threonine Tablets
Milupa Harvest Muesli Breakfast
Neutradol Concentrated Air Deodoriser
Nicorette Plus
Nurofen Soluble Tablets
Ozium 500 Air Sanitizer
Ozium 1500 Air Sanitizer
Ozium 3000
Regina Royal Jelly Capsules
Rennie Gold Tablets
Rennie Plus Tablets
St Clements Fruit Juice Concentrate
Stute Diabetic Blackcurrant Jam
Stute Diabetic Marmalade
Tymasil.

Sealed with the Official Seal of the Department of Health and Social Services on 24th October 1991.

(L.S.) *J. Scott*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 24th October 1991.

(L.S.) *R. Miller*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973 (''the principal regulations'') which regulate the terms on which doctors and chemists provide general medical services and pharmaceutical services.

Regulation 2 amends Regulation 4 of the principal regulations to introduce criteria by reference to which Health and Social Services Boards determine applications by doctors for inclusion in the medical list.

Regulation 3 amends Regulation 12 of the principal regulations to give a right of appeal to doctors who have been refused entry to the medical list under Regulation 4(3) of the principal regulations.

Regulation 4 removes some drugs and substances from, and includes others in, Schedule 3A to the principal regulations which contains a list of drugs and other substances for which a doctor may not issue a prescription for supply under pharmaceutical services and which may not be dispensed under those services.