or other expenses necessarily incurred by him solely for the purposes of his employment as an officer of the Board;

"maximum remuneration" means, in relation to an officer employed at a fixed rate of remuneration which is not subject to increases under a scale of remuneration determined by the Board, the annual rate of remuneration to be paid to that officer as from the date of his appointment and, in relation to an officer whose remuneration is fixed by reference to a scale of remuneration determined by the Board, means the greatest annual rate of remuneration which may be paid to that officer under such scale of remuneration.

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

2. The number, remuneration and conditions of service of all officers, as determined by the Board in accordance with the provisions of sub-section (1) of section fifty-six of the Act, shall be subject to the approval of the Ministry.

3. The qualifications, as determined by the Board in accordance with the provisions of sub-section (1) of section fifty-six of the Act, and the appointment and removal from office, of —

(i) any whole-time officer whose maximum remuneration is £700 per annum or more; and

(ii) any part-time officer whose remuneration is, having regard to the duties to be performed by him in the service of the Board, equivalent to a rate of remuneration of £700 per annum or more for a whole-time officer;

shall be subject to the approval of the Ministry.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this nineteenth day of April, one thousand nine hundred and forty-eight in the presence of

(L.S.) *Thos. Elwood,*
Assistant Secretary

General Medical and Pharmaceutical Services

REGULATIONS, DATED 11TH JUNE, 1948, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

amended 1948 S.R.&O. (N.I.) No. 260
" 1949 " " " 143 1948. No. 147

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The Ministry of Health and Local Government for Northern Ireland (in these Regulations referred to as " the Ministry "), in exercise of the powers conferred on it by Sections 5, 6, 10, 12, 13, 14, 74 and 80 of the Health Services Act (Northern Ireland), 1948, hereby makes the following Regulations, that is to say :—

PART I

General

Short title

1. These Regulations may be cited as the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them :—

" the Act " means the Health Services Act (Northern Ireland), 1948 ;

" assistant " means a medical practitioner who acts as an assistant to a medical practitioner ;

" Board " means the Northern Ireland General Health Services Board ;

" Central Medical Committee " means the Committee appointed under Regulation 12 of the Health Services (Services Committee) Regulations (Northern Ireland), 1948;

" drugs " includes medicines and such chemical reagents as may be prescribed ;

" maternity medical services " means the provision under Section 38 of the Act of personal medical services during and following pregnancy and labour in respect of all conditions arising therefrom up to the end of a period of six weeks from the date of confinement ;

" medical adviser " means a registered medical practitioner in the full-time employment of the Board ;

" medical card " means a card issued to a person, in a form approved by the Ministry, for the purpose of enabling that person to obtain or establish a title to receive general medical services other than maternity medical services from a medical practitioner and shall include any similar card provided for the same purpose under the National Health Insurance (Medical Benefit) Regulations (Northern Ireland), 1938 ;

" treatment " means medical attendance and treatment and includes the issue of medical certificates under, or for the purposes of, the enactments prescribed in Regulations made under subsection (2) (*e*) of Section 6 of the Act, and the keeping and furnishing of any records, and the preparation and transmission of any reports, in accordance with the terms of service contained or referred to in Part I of the First Schedule to these Regulations.

(2) In these Regulations the expression " chemist " means a person, firm or body corporate entitled to carry on the business of a pharmaceutical chemist under the Pharmacy and Poisons Acts (Northern Ireland), 1925 and 1945, who provides pharmaceutical services. The Regulations shall also apply (except so far as the context may otherwise require) to a person, firm or body corporate whose name is included in the pharmaceutical list for the purpose of supplying appliances only.

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

PART II

Medical Practitioners

Terms of Service for medical practitioners

3. The arrangements which the Board are required by Section 6 of the Act to make with medical practitioners for the provision of personal medical services shall incorporate the terms of service contained or referred to in Part I of the First Schedule to these Regulations.

Medical List

4.—(1) The Board shall prepare a list, to be called " the medical list", of the medical practitioners who, having made an application in the form set out in Part II of the First Schedule to these Regulations, or a form to the like effect approved by the Ministry, are entitled to be included in the list.

(2) Any medical practitioner resident in Northern Ireland, not disqualified under the provisions of Section 16 of the Act, who wishes to be included in the medical list, shall be so included.

(3) The medical list shall contain, in addition to the names of medical practitioners :—

(*a*) the address of any surgery and other place, or places, if any, at which the medical practitioner undertakes to attend for the purpose of treating persons receiving general medical services ;

(*b*) particulars of the days and hours at which the medical practitioner undertakes to be in attendance at each place ;

(*c*) where two or more medical practitioners, whose names are included in the list, practise in partnership, the name or names of the partners ;

(*d*) where the practitioner is acting as an assistant, the name and address of the principal ;

and may, if the Board think fit, be so arranged as to show the area in which each medical practitioner will provide treatment.

(4) Copies of the medical list shall be available for inspection at the office of the Board and at such other places as appear to the Board to be convenient for informing all persons interested, and shall be kept revised up-to-date.

(5) The Board shall send a copy of the medical list to the Ministry, to the Central Medical Committee, to each local medical committee and to the Local Pharmaceutical Committee, and shall within one calendar month inform each of them of any alteration which may from time to time be made therein. The Board shall also send a copy of the list to each local health authority, the Northern Ireland Hospitals Authority, the Northern Ireland Tuberculosis Authority and to any person under contract with the Board to provide pharmaceutical services, and, at intervals of not more than three months, shall notify them of any alteration made in the medical list :

Provided that in the case of persons providing pharmaceutical services and each local health authority the Board may send to them the portions of the list which appear to the Board to concern them.

Applications for inclusion in the medical list

5. Application by a medical practitioner for inclusion in the medical list shall be made by delivering or sending the application by post to the Board in the form set out in Part II of the First Schedule to these Regulations, or in a form to the like effect approved by the Ministry.

PART III

Method of obtaining general medical services

Selection of practitioner

6.—(1) Application by a person for acceptance by a medical practitioner for inclusion in his list shall be made by delivery to the practitioner either of a medical card duly signed and dated or of a signed and dated form of application for acceptance on his list :

Provided that any person included in the list of a practitioner immediately before the 5th July, 1948, under the National Health Insurance Acts (Northern Ireland), 1936 to 1946 shall, if the practitioner is providing general medical services, be deemed to be included in the list of that practitioner under these Regulations, unless and until he has chosen another practitioner or given notice in writing to the Board of his desire not to be so included.

(2) Application by a person to a medical practitioner for acceptance as a temporary resident shall be made in writing on a form supplied by the Board, and provided by the medical practitioner.

Assignment of persons to practitioner

7.—(1) If a person, having been refused by the practitioner whom he selected, gives notice to the Board that he desires to be assigned to a practitioner, the Board shall assign him to such practitioner as they think fit.

(2) In making any assignment, the Board shall have regard to the distance between the residence of the person and the various practitioners on the medical list, and to such other circumstances as appear to be relevant.

(3) The Board shall have power to exempt from liability to have persons assigned to him any practitioner who applies to the Board for that purpose :

Provided that the Board may deduct from such practitioner's remuneration such amount as may be determined by the Board in any particular case.

(4) The Board may authorise their chairman or any other member or members to exercise the power of assignment under this Regulation in cases in which action is necessary before a meeting of the Board can conveniently be held.

Provision of treatment in emergencies

8.—(1) If neither the practitioner responsible for a person's treatment nor his deputy is available for giving the person any treatment immediately required owing to an accident or other emergency, it shall be the duty of any practitioner who may be summoned or at whose surgery the person may attend, to give any necessary treatment.

(2) Where a practitioner renders emergency treatment, the Board shall, as soon as information thereof comes to their notice, inform the practitioner on whose list the name of the person appears.

(3) The Board shall have power on application by a practitioner 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 :

Provided that the Board may deduct from such practitioner's remuneration such amount as may be determined by the Board in any particular case.

Limitation of practitioners' lists.

9.—(1) The number of persons whose names may be placed on the list of a practitioner 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 4,000 :

(*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 5,000, and the average of the numbers on the lists of both or all the partners shall not exceed 4,000 :

Provided that :—

(i) where a practitioner or a partnership of practitioners is authorised 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 2,400 in respect of each such assistant ;

(ii) 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 6,400, and, where two or more such assistants are employed, the total number on the combined lists shall not exceed an additional 2,400 in respect of each such additional assistant ;

(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 required to any person who applies for acceptance, or to give emergency treatment under Regulation 8.

(2) If the number of persons exceeds the limit permissible under this Regulation the practitioner may not accept further persons on his list until he has taken steps to bring the number within the limit fixed, either (*a*) by securing the services of a practitioner as partner, or (*b*) by engaging a permanent assistant, or (*c*) by informing the Board of the names of the necessary number of persons on his list for whom he intends to discontinue responsibility for treatment, in which last 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 to accept such persons for treatment.

(3) If the practitioner has not within two months after the date on which he was notified of the excess, brought his list within the limit permissible under this Regulation, the Board shall remove from his list the necessary number of persons.

Removal of persons from practitioner's list

10.—(1) If a practitioner gives notice to the Board of his desire to have a person's name removed from his list the Board shall notify the person accordingly and shall inform him that he should apply to another practitioner for acceptance. The person's name shall be removed from the practitioner's list as from the date on which the person is accepted by or assigned to another practitioner, or at the expiration of a period of one calendar month from the date on which notice was received by the Board from the practitioner, whichever first occurs.

(2) If a practitioner has given notice to the Board of his desire to have a person's name removed from his list and the person is, at the date when the removal would take effect, in need of treatment, the practitioner shall notify the Board of the person's incapacity and the removal shall not take effect, unless the person in the meantime applies to and is accepted by another practitioner, until one calendar month after the date on which the practitioner notifies the Board that the person is no longer in need of treatment, but this paragraph shall not apply in any case in which owing to the chronic nature of the person's illness treatment is being given at less frequent intervals than one week.

Change of practitioner

11.—(1) Where a person who is included in the list of a practitioner —

(*a*) removes to an address outside the area within which that practitioner has undertaken to provide general medical services ; or

(*b*) receives a notice issued by the Board pursuant to paragraph (2) of this Regulation or to paragraph (1) of Regulation 10 of these Regulations or to paragraph 12 of the First Schedule to these Regulations ; or

(*c*) obtains in writing the consent of that practitioner to the transfer,

he shall be entitled to make application to another practitioner for acceptance, by delivery to him of a medical card duly signed and dated, and, if accepted, shall forthwith be entitled to receive treatment from the practitioner to whom application has been made :

Provided that, if none of the foregoing conditions be satisfied, the person shall nevertheless be entitled to make application as aforesaid

and shall be entitled to receive treatment from the practitioner to whom application has been made after the expiration of seven days from the date of his application.

(2) On the death of a practitioner, or his removal or withdrawal from the medical list the Board shall, as soon as may be practicable, give to the persons whose names are on the list of such practitioner notice to apply to another practitioner for acceptance.

Temporary arrangements for practice on death, etc.

12.—(1) For the purpose of securing the treatment of persons on the list of a practitioner whose name ceases to be included in the medical list pending their selection of another practitioner, the Board may arrange for one or more practitioners to undertake the treatment of such persons and may make such arrangements as they think fit for the accommodation and other needs of such practitioner or practitioners.

(2) An arrangement with any practitioner under this Regulation shall be for such period as the Board think fit not exceeding, except in special circumstances with the approval of both the Ministry and the Central Medical Committee, one month from the date of issue of the notices provided for in Regulation 11. Such arrangement shall be subject to the condition that the practitioner agrees in writing to be bound by the terms of service in Part I of the First Schedule to these Regulations applicable to the practitioner whose name has ceased to be included in the medical list. During the period of any such arrangement and for such period only the name of any person who does not apply to be transferred to another practitioner shall be deemed to be included in the list of the practitioner with whom the Board have made an arrangement for the treatment of that person.

Application for removal of person from a practitioner's list.

13. A person who no longer wishes to avail himself of general medical services may at any time give notice to the Board that he wishes his name to be removed from a practitioner's list, and, at the expiration of fourteen days from the date of the receipt of the notice, the Board shall remove the name and inform the person and practitioner.

Removal from Northern Ireland.

14. Where a person whose name is on the list of a practitioner has removed from Northern Ireland, his name shall be removed from such list as soon as the Board have received notification of his removal.

Cases of temporary residence.

15.—(1) A person ordinarily resident in Northern Ireland or Great Britain who is residing temporarily in any district and whose name is not on the list of a practitioner providing general medical services in that district may apply to any such practitioner to be accepted by him as a temporary resident. In such a case his name shall not be removed from the list of any practitioner in which it is already included.

(2) For the purpose of this Regulation the residence of a person shall be deemed to be temporary if the person, being a person ordinarily resident in Northern Ireland or Great Britain, intends, at the time of his arrival in a district, to remain for a period of not more than three months in the area within which the practitioner accepting him for treatment has undertaken to provide treatment :

Provided that if his stay within such area extends to more than three months his removal shall as from the end of that period be deemed to be of a permanent character.

(3) The expression " temporary resident " shall be construed in accordance with the terms of this Regulation.

Practitioners' lists

16.—(1) The Board shall prepare and keep revised up to date a list of persons for whose treatment each practitioner is for the time being responsible and shall from time to time furnish the practitioner with information in regard to persons whose names are included in or removed from such list.

(2) Any deletion resulting from a person's ceasing to be entitled to receive treatment from the practitioner on whose list his name appears shall take effect as from the date on which notice of the deletion is sent by the Board to the practitioner, or from such other date not being earlier than that date as may be specified in the notice.

PART IV

Financial Provisions

Practitioners' and Mileage Funds.

17. Out of moneys provided by Parliament under Section 49 of the Act the Board shall carry —

(*a*) to a Fund (hereinafter referred to as the " Practitioners' Fund ") for defraying the cost of treatment to be provided during the year by practitioners an amount calculated at the rate of seventeen shillings and sixpence per year in respect of each of the total number of persons represented by ninety-five per cent of the civilian population of Northern Ireland at the 1st April of that year as estimated by the Registrar General for Northern Ireland ;

(*b*) to a Fund (hereinafter referred to as the " Mileage Fund ") for defraying the cost of payments to practitioners in respect of mileage an amount calculated at the rate of sixpence per year in respect of each of the total number of persons represented by ninety-five per cent of the civilian population of Northern Ireland at the 1st April of that year as estimated by the Registrar General for Northern Ireland ;

Distribution of Practitioners' Fund

18. Without prejudice to the powers of the Board under sub-section (2) of Section 10 of the Act to provide additional remuneration, the remuneration of medical practitioners shall be calculated in accordance with the provisions of Part I of the First Schedule to these Regulations.

Distribution of Mileage Fund

19. The payments to practitioners in respect of mileage shall be calculated in accordance with the provisions of Part I of the First Schedule to these Regulations.

Payments for drugs and appliances supplied by practitioners

20.—(1) Where the Board have required a medical practitioner to supply all requisite drugs and prescribed appliances to a person on his list, the Board shall pay the practitioner a capitation fee calculated in the manner hereinafter provided in respect of each person to whom he is required to supply drugs and prescribed appliances.

(2) Notwithstanding anything in these Regulations the obligations of a practitioner supplying drugs and prescribed appliances and to whom capitation fees are paid therefor shall not extend to any drug or appliance which may be excluded by the Board, with the approval of the Ministry, from the said obligation by reason of its costliness, and the cost of such drug or prescribed appliance shall likewise be excluded in making the calculation of the capitation fee under the succeeding paragraph.

(3) Where a practitioner is required to supply drugs and prescribed appliances to persons there shall be paid to him in respect of each such person a sum ascertained by the Board as the average amount paid to persons supplying drugs or prescribed appliances for each person on the list of practitioners (other than persons to whom practitioners are required to supply drugs and prescribed appliances) in respect of such previous years or periods as the Board, with the approval of the Ministry, may determine, and for the purposes of this provision the number of persons to whom the practitioner supplies drugs and prescribed appliances at a capitation fee shall be calculated by ascertaining the number of those persons included in his list at the commencement of each quarter and dividing the total number so ascertained by four:

Provided that for the period ending 31st March, 1949, the total number so ascertained, as aforesaid, shall be divided by three.

(4) For the purposes of these Regulations the four quarters shall be regarded as commencing on 1st April, 1st July, 1st October and 1st January, provided that the quarter ending on the 30th September, 1948, shall, nevertheless, be deemed to commence on the 5th July, 1948.

Transitional provisions

21. The Board may, from time to time, make such provisional distributions of the Mileage Fund during and in respect of the period ending on the 30th September, 1949, and may, from time to time, with the approval of the Ministry, make such provisional payments in respect of drugs and prescribed appliances supplied by practitioners under Regulation 29 of these Regulations during and in respect of the period ending on the 31st March, 1950, as they may determine.

Deductions in respect of superannuation contributions

22. The Board shall make such deductions as are authorised by the Health Services (Superannuation) Regulations (Northern Ireland), 1948, from the remuneration payable to practitioners providing general medical services in respect of superannuation contributions, and shall pay such contributions to the Ministry.

PART V

Chemists

Terms of service for chemists

23. The arrangements which the Board are required by Section 12 of the Act to make for the supply of drugs and medicines and prescribed appliances to persons receiving general medical services, and of prescribed drugs and medicines to persons receiving general dental services, shall incorporate the terms of service contained or referred to in Part I of the Third Schedule to these Regulations.

Pharmaceutical list

24.—(1) The Board shall prepare a list, to be called "the pharmaceutical list", of the names and places of business of the chemists who have notified the Board in the form set out in Part II of the Third Schedule to these Regulations, or a form to the like effect approved by the Ministry, that they will undertake to provide pharmaceutical services and the list shall indicate whether they have undertaken to supply drugs or prescribed appliances or both and shall also indicate the days and hours during which the several places of business are open.

(2) Any person not disqualified under the provisions of Section 16 of the Act who wishes to be included in the pharmaceutical list shall subject to the provisions of Section 13 of the Act be so included for the purpose of supplying such drugs, medicines and prescribed appliances as that person is entitled by law to sell.

(3) Copies of the pharmaceutical list shall be available for inspection at the office of the Board and at such other places as appear to the Board to be convenient for informing all persons interested and shall be kept revised up-to-date.

(4) The Board shall send a copy of the pharmaceutical list to the Ministry, and to the Local Pharmaceutical Committee, and shall within one calendar month inform each of them of any alteration which may from time to time be made therein. The Board shall also send to each practitioner providing general medical or general dental services, a copy either of the list, or of such portion thereof as appears to the Board to concern the practitioner, and at intervals of not more than three months shall notify each practitioner of any alterations.

Application for inclusion in the pharmaceutical list

25. Application by a chemist for inclusion in the pharmaceutical list shall be made by delivering or sending the application by post to the Board in the form set out in Part II of the Third Schedule to these Regulations, or a form to the like effect approved by the Ministry.

Scheme for securing proper pharmaceutical service

26.—(1) The Board, after consultation with the Local Pharmaceutical Committee, shall prepare schemes, (*a*) for testing the quality and amount of the drugs and prescribed appliances supplied and the accuracy of dispensing; and (*b*) for securing that one or more places of business on the pharmaceutical list in each neighbourhood shall at all reasonable times be open, and the latter scheme shall specify the days and hours during which such place or places shall be open.

(2) In the event of the Board and the Committee failing to agree on any provision of the schemes, the matter shall be referred to the Ministry whose determination shall be final.

(3) The provisions of any such scheme shall be subject to the approval of the Ministry.

(4) The Board, after consultation with the Local Pharmaceutical Committee, may from time to time amend any such scheme subject to the approval of the Ministry. If either the Board or the Local Pharmaceutical Committee desire any amendment, such scheme may, in default of agreement between them, be amended by the Ministry.

(5) The number of tests to be taken annually in pursuance of a scheme for testing the quality and amount of drugs and appliances supplied shall be such as the Ministry, after consultation with the Board and the Local Pharmaceutical Committee, may from time to time determine.

Prescribed appliances and reagents

27.—(1) The appliances to be supplied to persons receiving general medical services shall be the appliances specified in Part I of the Second Schedule to these Regulations.

(2) The chemical reagents to be supplied to persons receiving general medical services shall be those specified in Part II of the Second Schedule to these Regulations.

Prices and standards of drugs and appliances

28. For the purpose of enabling arrangements to be made for the supply of drugs and appliances of proper quality, the Ministry, after consultation with such organisation or organisations as may be recognised by the Minister as representing the pharmaceutical profession, shall cause to be prepared a statement (in these Regulations referred to as " the Drug Tariff ") which shall include :—

(*a*) the prices on the basis of which the payment for drugs and prescribed appliances ordinarily supplied is to be calculated ;

(*b*) the method of calculating the payment for drugs not mentioned in the Drug Tariff ;

(*c*) the method of calculating the payment for containers ;

(*d*) the dispensing or other fees payable in respect of the supply of drugs and prescribed appliances ;

(*e*) the standards of quality for drugs and prescribed appliances.

The prices referred to in paragraph (*a*) of this Regulation shall be subject to monthly or other periodical variations to be determined by reference to fluctuations in the cost price of drugs and prescribed appliances.

PART VI

Medical Practitioners and Chemists

Arrangements for supply by medical practitioners of drugs and appliances

29.—(1) Where the Board are satisfied that a person, by reason of distance or inadequacy of means of communication, will have serious difficulty in obtaining any necessary drugs or prescribed appliances from a chemist the Board may require the practitioner in whose list the person is included to supply to that person until further notice such drugs and prescribed appliances as would otherwise under these Regulations have been supplied by a chemist :

Provided that

(i) where the number of such persons on the practitioner's list exceeds 80 per cent. of the total number of persons on his list the Board may, subject to a power to except specified persons, require the practitioner to supply any necessary drugs and appliances to all persons on his list ; and

(ii) where the drug or prescribed appliance is one for which

the practitioner is entitled to receive extra payment if he supplies it, he may, with the patient's consent, instead of supplying the drug or prescribed appliance himself, issue a prescription for that purpose.

(2) Notwithstanding anything contained in this Regulation—

(*a*) a practitioner shall not be required by the Board to undertake the supply of drugs and prescribed appliances under this Regulation if he satisfies the Board that he is not in the habit of dispensing drugs for his patients ;

(*b*) a practitioner shall be entitled to receive reasonable notice from the Board that he is required to undertake the supply of drugs and prescribed appliances or that such supply is to be discontinued.

Publication of particulars of arrangements

30. The Board shall cause to be published, in such manner as appears to them best calculated to inform all persons interested, particulars of the arrangements made by the Board, including a statement of the places where copies of the terms of service for medical practitioners and chemists and copies of the medical list and of the pharmaceutical list may be seen and where any forms of application for inclusion in such lists are available and any other particulars which the Board think proper.

Exercise of choice of practitioner in certain cases

31. The right to choose the person by whom general medical services or pharmaceutical services under Part II of the Act are to be provided shall be exercised —

(*a*) on behalf of any person under the age of sixteen by the father, or with his consent or in his absence, the mother, or, in the absence of both parents, the guardian or other person who has the care of the child ; and

(*b*) on behalf of any other person who on account of old age, sickness or other infirmity is incapable of choosing a person to provide any of the services, by the relative or other person who has the care of such person.

PART VII

Drug Pricing Committee

Application to the Drug Pricing Committee of the provisions of the First Schedule to the Act

32. The provisions set out in the Fourth Schedule to these Regulations shall apply in relation to the Drug Pricing Committee established by the Board under the provisions of Section 14 of the Act.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this eleventh day of June, one thousand nine hundred and forty-eight, in the presence of

(L.S.)

Thos. Elwood,
Assistant Secretary.

The Ministry of Finance for Northern Ireland hereby consents to paragraph (*b*) of Regulation 17 of these Regulations.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this eleventh day of June, one thousand nine hundred and forty-eight in the presence of

(L.S.) *John I. Cook*,
Assistant Secretary.

FIRST SCHEDULE

PART I

TERMS OF SERVICE FOR MEDICAL PRACTITIONERS

Interpretation

1. In these terms of service, unless the context otherwise requires, "patient" means a person for whose treatment a practitioner is responsible under paragraph (3) of these terms of service and the expression "the Regulations" means the Health Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland), 1948, and other words and expressions have the same meaning as in the Regulations.

Incorporation of Provisions of Regulations, etc.

2. Any provisions of the Act, the Regulations and of the Health Services (Services Committee) Regulations (Northern Ireland), 1948, affecting the rights, duties, and obligations of medical practitioners shall be deemed to form part of these terms of service.

Persons for whose treatment the practitioner is responsible

3.—(1) The persons for whose treatment a practitioner is responsible are :—

(*a*) all persons whom he has accepted for inclusion in his list and who have not been notified to him by the Board as having ceased to be on his list ;
(*b*) all persons whom he has accepted as temporary residents ;
(*c*) all persons who have been assigned to him by the Board and who have not been notified to him by the Board as having ceased to be on his list ;
(*d*) all persons for whom he may be required under the terms of the Regulations, to provide treatment pending their acceptance by or assignment to a practitioner or to provide treatment in case of accident or other emergency ;
(*e*) all persons for whose treatment the practitioner is responsible under paragraph 5 of these terms of service.

(2) A practitioner who is providing general medical services in accordance with arrangements made under Regulation 12 of the Regulations, shall while such arrangements continue, be responsible for the treatment of such persons on the list of the practitioner whose name has ceased to be included in the medical list as shall have been arranged, provided that the person has not been transferred to the list of another practitioner.

(3) Notwithstanding anything contained in this paragraph, a practitioner shall not be responsible under these terms of service for the treatment in hospital of a person admitted thereto for treatment, unless he is a member of the staff of the hospital and the terms of his appointment permit of his providing general medical services for any patient of his in any part of that hospital, or unless the hospital or part of the hospital to which the patient is admitted is one in which persons are entitled to secure treatment by their own medical attendant whether or not such medical attendant is on the hospital staff.

(4) It shall be the duty of a medical practitioner if he refuses to accept a person who applies for acceptance as a patient and who is not on the list of any other practitioner practising in the area within which he has undertaken the treatment of persons,

(*a*) to give the applicant such treatment, as may be necessary, pending his acceptance by or assignment to a practitioner ;
(*b*) to inform him of the name and address of any neighbouring practitioner or practitioners to whom application for acceptance might be made, and that failing acceptance the applicant may give notice to the Board that he desires to be assigned to a practitioner.

(5) The acceptance of an applicant shall be signified by the signing of his medical card, or a form of application for acceptance on a practitioner's list, by the practitioner or his partner, assistant or deputy duly authorised in that behalf :

Provided that a partner, assistant or deputy signing such card or form on behalf of the practitioner shall also add the practitioner's name, and the practitioner shall send the card or form to the Board within seven days.

(6) If the card or form is received by the Board not later than forty-eight hours after the commencement of a quarter the person concerned shall be treated, for the purpose of calculating the remuneration to be credited to the practitioner, as having been included in his list at the commencement of the quarter, and, in the case of transfer, the person's name shall, from the same date, be deleted from the list of his former practitioner notwithstanding the provisions of Regulation 16 (2) of the Regulations.

Right of practitioner to have patient removed from his list

4. Subject to the provisions of Regulation 10 (2) of the Regulations, a practitioner is entitled to have the name of any person on his list removed therefrom by giving notice at any time to the Board and, at the expiration of one calendar month from the receipt of such notice by the Board, or upon the issue by the Board to the person of a new or amended medical card on transfer to the list of another practitioner, whichever first occurs, the name of the person shall be removed from the practitioner's list.

Evidence of person's title to obtain treatment

5.—(1) A practitioner is entitled to require a person claiming to be on his list and applying for treatment, regarding whose identity he has reasonable doubts, to produce his medical card, or a person applying for treatment as a temporary resident to produce either his medical card or satisfactory evidence of identity.

(2) (*a*) If the person fails on request to produce his medical card, or, in the case of a temporary resident, his medical card or satisfactory evidence of identity, the practitioner is required to give any necessary treatment (including the supply of any drugs or appliances which he would be required himself to supply to a person on his list) but the practitioner may demand and accept from the applicant a reasonable fee for any treatment given, including any drugs or prescribed appliances supplied, provided that he renders the applicant an account or, if no account is rendered, gives him a receipt on a form provided for the purpose by the Board. The practitioner may not order any drug or appliance on one of the order forms provided by the Board so as to enable the person to obtain the drug or appliance free of cost.

(*b*) If the applicant applies to the Board for a refund within fourteen days thereafter (or such longer period, not exceeding one month, as may be allowed by the Board if they are satisfied that the failure to make application within the period of fourteen days was occasioned by some reasonable cause) and the Board are satisfied that he was at the time of treatment on the practitioner's list, or was a temporary resident, the Board may recover the fee from the practitioner by deduction from his remuneration or otherwise and shall repay to the applicant the amount of the fee. The Board shall also refund any payment made by him to a chemist in respect of drugs or prescribed appliances which he would, if he had presented a medical card, have been entitled to obtain free of charge. Provided that the amount so refunded shall not exceed the amount which would have been payable for such drugs or appliances on the basis of the Drug Tariff, if they had been ordered on a form provided by the Board.

(*c*) If the practitioner has supplied any drug or appliance for which, in the case of a person on his list, he would have been entitled to payment from the Board, the Board shall credit him with the payment to which he would have been so entitled.

(*d*) If it is determined that the person was a temporary resident the practitioner shall be credited by the Board in accordance with paragraph 18 of these terms of service.

Range of service

6.—(1) A practitioner is required to render to his patients all proper and necessary treatment. Such treatment includes the performing of operations of the kind usually

performed by a general medical practitioner and not requiring special skill or experience of a degree or kind which general practitioners as a class cannot reasonably be expected to possess. Subject to sub-paragraph (2) of this paragraph the treatment to be so provided does not include —

(*a*) services which involve the application of such special skill or experience as aforesaid;

(*b*) the administration of an anaesthetic at an operation performed by a practitioner as part of the maternity medical services;

(*c*) maternity medical services;

(*d*) vaccination against smallpox.

(2) In the case of emergency the practitioner is required to render whatever services are, having regard to the circumstances, in the best interest of the patient.

(3) In determining whether a particular service is a service involving the application of such special skill and experience as aforesaid, regard is to be had to the question whether services of the kind are or are not usually undertaken by general practitioners practising in the district in which the question arose.

Duties of Practitioner

Reference to hospital and specialist services or local health authority services

7.—(1) If the condition of the patient is such as to require treatment which is not within the scope of the practitioner's obligations under these terms of service but such treatment is, to the knowledge of the practitioner, available as part of the hospital and specialist services, the practitioner shall inform the patient of the fact and, if the patient so wishes, the practitioner shall take all necessary steps to enable him to receive such treatment. When referring a patient to the hospital and specialist services the practitioner shall give adequate particulars, in writing if so required, either beforehand or as soon as possible afterwards. The practitioner shall also give his patients such advice or assistance as he may consider appropriate to enable them to take advantage of the local health authority services, including maternity medical services.

Supplementary eye services

(2) If the condition of the patient is such as to require supplementary eye services, the practitioner shall, if the patient so wishes, furnish him with a recommendation for such services on a form provided for the purpose by the Northern Ireland Hospitals Authority.

Surgery hours

(3) A practitioner is required to attend and treat at his residence or such other place as may be agreed between him and the Board, on the days and at the hours to be arranged to the satisfaction of the Board, any patient who attends there for that purpose, but he may, with the consent of the Board, alter the place, days or hours of his attendance and shall in that event take such steps as the Board consider necessary to bring the alteration to the notice of his patients.

Surgery accommodation

(4) 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.

Inspection of surgery and waiting-room accommodation

(5) The practitioner on receipt of reasonable notice shall at all reasonable times admit the Medical Adviser of the Board to any surgery or waiting-room of the practitioner for the purposes of inspecting the said surgery or waiting-room.

Visiting

(6) A practitioner is required to visit and treat a patient whose condition so requires at any place where, under the terms of his application for inclusion in the medical list, he is under an obligation to visit such patient.

Medical Certificate

(7) A practitioner is required to issue to his patients free of charge any certificates reasonably required by them under or for the purposes of the enactments prescribed in Regulations made under sub-section (2) (*e*) of Section 6 of the Act and any certificate which a practitioner is required to issue for the purposes of the National Insurance Acts, (Northern Ireland), 1946, shall be issued in accordance with any Regulations made under those Acts.

If in any case a disclosure to the patient of the precise cause of incapacity would, in the practitioner's opinion, be prejudicial to the patient's well-being, and in any certificate issued in accordance with any regulations made under the National Insurance Acts (Northern Ireland), 1946, the practitioner has described the incapacitating disease or disablement in less precise terms, he shall send, on the day on which the first such certificate is signed, to the Ministry of Labour and National Insurance a

notice in the appropriate form and shall send to the Chief Medical Officer of the Ministry a precise description of the disabling condition and a statement of the reason for which a certificate less precise than is possible has been given.

Anaesthetics

(8) A practitioner is responsible for providing the services of another practitioner for the administration of an anaesthetic, when necessary, in connection with any operation on his patient undertaken by him under these terms of service, whenever such administration does not involve the application of special skill or experience of a degree or kind which general practitioners as a class cannot reasonably be expected to possess.

Duty to supply drugs and appliances

(9) (i) A practitioner is required to supply to a patient such drugs and appliances as are required for immediate administration or application, or for use before a supply can be obtained otherwise under the Regulations.

(ii) A practitioner shall comply with any arrangements made by the Board, with the approval of the Ministry, under which he may obtain and have available for supply such drugs and appliances.

(iii) A practitioner may supply any other drug which is administered by him in person.

(iv) A practitioner shall supply all requisite drugs and prescribed appliances which, under the Regulations, he is required by the Board to supply to a patient.

(v) A drug supplied by a practitioner, unless administered in person, shall be supplied in a suitable container, properly labelled with the patient's name, the dose and frequency of dosage.

Duty to prescribe. Prohibition of "Rep. Mist."

(10) A practitioner is required to order, on a form provided by the Board for the purpose, such drugs and prescribed appliances (other than those supplied under the preceding sub-paragraph) as are requisite for the treatment of any patient. The order shall be signed by the practitioner with his own hand and shall not be written in such a manner as to necessitate reference on the part of the person supplying the drugs or appliances to a previous order. The forms so provided shall not be used for persons other than the patients who are under treatment by him and a separate form shall be used for each patient.

Prescriptions for tests

(11) A practitioner shall comply with any reasonable request by the Board to furnish orders, on a form provided by the Board, for drugs and prescribed appliances for the purposes of any scheme for testing drugs and appliances made under the Regulations.

Records

(12) A practitioner is required to keep records of the illnesses of his patients and of his treatment of them in such form as the Board with the approval of the Ministry may from time to time determine.

Relations with Medical Adviser of the Board

(13) A practitioner is required —

(*a*) to forward, with reasonable promptness, to the Medical Adviser when called for, the records required by these terms of service;

(*b*) upon knowledge of the death of a person on his list, to forward the record of such person to the Medical Adviser within seven days;

(*c*) to permit the Medical Adviser to inspect such records for the purpose of ascertaining whether or not they are properly kept, and to furnish to the Medical Adviser any necessary information with regard to the entries therein as he may request;

(*d*) to answer any enquiries of the Medical Adviser with regard to any prescription or certificate issued by the practitioner or to any statement made in any report furnished by him under these terms of service.

(14) A practitioner is required —

(*a*) to furnish in writing to the Chief Medical Officer of the Ministry with reasonable promptness any information which the latter may require with regard to any prescription issued, or report furnished by him to the Ministry, under these terms of service or with regard to the case of any patient to whom the practitioner has issued or declined to issue a medical certificate under or for the purpose of the National Insurance Acts (Northern Ireland), 1946;

(*b*) upon notice being given to afford to the Chief Medical Officer of the Ministry or his deputy access at all reasonable times to the practitioner's surgery or other place where the records required by these terms of service are kept for the purpose of the inspection of such records and to furnish to the Chief Medical Officer of the Ministry such records or necessary information with regard to any entry therein as he may request.

Deputies, assistants and partners

8.—(1) Save as provided in this paragraph in the case of partners and assistants, all treatment shall be given by a practitioner personally.

(2) When a practitioner is absent from home for more than eighteen hours or is ill he shall make reasonable arrangements for securing the treatment of his patients, and he shall inform the Board of any standing arrangements which he may have for the purpose. He shall not absent himself from his practice for more than one week without first informing the Board of his proposed absence and of the person or persons responsible for conducting his practice during such absence.

(3) A practitioner shall not employ an assistant to attend the patients on his list without first informing the Board of the name of such assistant :

Provided that this requirement shall not apply in the case of any assistant employed by a practitioner immediately prior to the 5th July, 1948, under the terms of the National Health Insurance (Medical Benefit) Regulations (Northern Ireland), 1938.

(4) A practitioner shall not, without the consent of the Ministry, employ as a deputy or assistant any practitioner who is disqualified under Section 16 of the Act for inclusion in the medical list.

(5) A practitioner acting as deputy shall be entitled to treat patients at places other than those arranged by the practitioner for whom he is acting, due regard being had to the convenience of the patients.

(6) A deputy or assistant (other than a partner or assistant whose name is included in the medical list) shall, in addition to signing with his own name any certificate, prescription form or other document issued by him under these terms of service, insert therein if it does not already appear the name of the practitioner for whom he is acting as deputy or assistant.

(7) A practitioner is responsible for all acts and omissions of any practitioner acting as his deputy or assistant in relation to his obligations under these terms of service.

(8) In the case of two or more practitioners practising in partnership or as a principal and assistant, treatment may at any time be given by a partner or assistant of the practitioner in whose list the patient is included, instead of by the practitioner in person, if reasonable steps are taken to secure continuity of treatment :

Provided that the patient will be entitled to require the personal services of the principal instead of the assistant except when the principal is prevented from attending by reason of other professional duties, temporary absence from home or other reasonable cause.

Arrangements for practice

9. A practitioner shall not carry on practice elsewhere than from his place of residence except upon conditions which appear to the Board to be such as to enable his obligations under these terms of service, and in particular his obligation to visit his patients, to be adequately carried out. Any conditions so imposed may include a requirement that the patients of the practitioner are to be notified at the practitioner's expense of any special arrangements under which his practice is carried on.

Acceptance of fees

10.—(1) A practitioner shall not demand or accept any fee or other remuneration in respect of any medical treatment, whether under these terms of service or not, rendered to the patients on his list or the list of his partner or assistant :

Provided that nothing in this paragraph shall debar a practitioner from demanding and accepting a fee or other remuneration —

(*a*) under paragraph 5 of these terms of service,

(*b*) from any statutory body in respect of services rendered for the purpose of that body's statutory functions,

(*c*) from any school, employer or body for the medical examination of persons for whose welfare that school, employer or body is responsible, such examination being either a routine medical examination or for the purpose of advising the school, employer or body as to any administrative action they may take ;

(*d*) for treatment not included within the range of service defined in paragraph 6 given—

(i) in special accommodation in a hospital set aside for private patients in accordance with Section 29 of the Act ;

(ii) in a registered nursing home, not being a hospital providing hospital and specialist services under the Act :

if in either case the practitioner is serving on the staff of a hospital providing hospital and specialist services as a specialist providing treatment of the kind required by the patient :

Provided that within seven days after the date on which treatment is given the practitioner has furnished the Board, on a form to be supplied by them for the purpose, with such particulars relating to the service rendered as they may require ;

(*e*) for maternity medical services : Provided that, where such services have been provided under an arrangement with a local health authority he shall not accept any fee or other remuneration except from such local health authority ;

(*f*) for the issue to persons of medical certificates other than those issued under or for the purposes of any enactments prescribed in Regulations made under Section 6 (2) (*e*) of the Act ;

(*g*) under Section 12 and Section 50 of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934.

(*h*) from a dentist for the administration of an anaesthetic required for the purposes of dental treatment.

(2) A practitioner shall take all practicable steps to ensure that any partner of his, whether or not such partner is providing general medical services, shall not demand or accept any fee or other remuneration in respect of medical treatment rendered to the patients on the list of such practitioner unless the partner would have been entitled to charge if the patient had been on his own list.

Withdrawal from the medical list

11. A practitioner is entitled at any time to give notice to the Board that he desires to withdraw his name from the medical list and his name shall be removed therefrom at the expiration of three months from the date of such notice or of such shorter period as the Board may agree :

Provided that if representations are made to the Tribunal under the provisions of Section 16 of the Act that the continued inclusion of a practitioner in the medical list would be prejudicial to the efficiency of the general medical services, he shall not, except with the consent of the Ministry, and subject to such conditions as the Ministry may impose, be entitled to withdraw his name from the list pending the termination of the proceedings on such representations.

Continued absence of practitioner

12. Where the Board, after having given seven days notice by registered post to a practitioner and not having received a satisfactory reply, are satisfied that owing to his continued absence, his obligations under the terms of service are not being adequately carried out, they may with the consent of the Ministry and of the Central Medical Committee give notice to the persons on his list that the practitioner is for the time being in their opinion not in a position to carry out his obligations under the terms of service and that they should choose another practitioner.

Issue of notices to practitioners

13. Any notice which the Board are required or authorised by these terms of service to give to a practitioner shall be sufficiently given if it has been sent by post to, or delivered at, the address which the practitioner has last notified the Board as being his place of residence.

Calculation of Lists for the Distribution of Practitioners' Fund

14. For the purpose of arriving at the proper distribution of the Practitioners' Fund the Board shall send to each practitioner providing general medical services a statement of the number of persons who are included in his list on the first day of each quarter and unless within ten days from the date on which such statement is sent by

the Board the practitioner notifies the Board that he disputes the correctness of the statement, the statement will be regarded as agreed to by him and it will not be open to him to take any subsequent objection to it or to any distribution of the Practitioners' Fund based on it.

Apportionment of payments for portion of a quarter

15.—(1) A practitioner whose name has ceased to be included in the medical list in the course of a quarter or the representative of a deceased practitioner will be entitled to an apportioned part of the amount which would have been payable to the practitioner for the whole of the quarter in respect of the persons on his list, the apportionment being based on the number of days in the quarter on which his name was included in the medical list.

(2) Where the Board have —

(*a*) made arrangements under Regulation 12 of the Regulations for the treatment of persons on the list of a practitioner whose name has ceased to be included in the medical list; or

(*b*) issued notices under paragraph 12 of these terms of service to the effect that a practitioner is for the time being in their opinion not in a position to carry out his obligations, and where arrangements have been made by the Board with another practitioner or other practitioners to undertake the treatment of persons included in the former practitioner's list;

the practitioner or practitioners with whom the arrangements have been made will be entitled to receive :—

(i) out of the Practitioners' Fund for the quarter (or for the quarters affected) such part of the remuneration 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) out of the Practitioners' Fund such additional sums, if any, as may be determined by the Board after consultation with the Central Medical Committee.

(3) Where any such arrangement as is referred to at (*b*) of the preceding subparagraph is made in the course of a quarter, the first practitioner or his representative shall be entitled to a proportion of the amount which would have been payable to the practitioner in respect of persons on his list, the apportionment being based on the number of days in the period between the beginning of the quarter and the date on which the notices under the said paragraph 12 were issued.

Special payment for Anaesthetist

16. In cases in which the services of a second medical practitioner are required for the purpose of administering a general anaesthetic a fee of one guinea shall be be paid out of the Practitioners' Fund to the practitioner who is responsible for providing the services of the anaesthetist, except where the anaesthetic is administered in a hospital where the administration is normally undertaken by the staff of the hospital, provided that an account for such service is sent by the practitioner to the Board on a form provided for the purpose within fourteen days after the date on which such service is provided. The Board shall have power to disallow any item of any account but before doing so shall afford the practitioner reasonable opportunity of appearing before and being heard by a committee of the Board composed of members of the medical profession and appointed for the purpose, or if he thinks fit, of submitting to such committee a statement in writing.

Payment for emergency treatment

17. If a practitioner provides treatment in case of accident or other sudden emergency to a person not included in his list in accordance with Regulation 8 of the Regulations, payment will be made in accordance with the following scale of fees :—

		£	s.	d.
(*a*)	Visit to patient's residence	0	7	6
(*b*)	Attendance on the patient at the practitioner's residence or surgery	0	5	0
(*c*)	Night visit, i.e., a visit made between and in response to a call received between such hours as may from time to time be specified by the Board	0	12	6
(*d*)	Surgical operation requiring general anaesthetic ...	1	1	0
(*e*)	Emergency treatment of abortion or miscarriage, where a fee is not payable therefor by a local health authority ...	1	1	0
(*f*)	Setting of fracture	1	1	0
(*g*)	Reduction of dislocation	1	1	0
(*h*)	Administration of general anaesthetic	1	1	0
(*i*)	Attendance on the patient at the practitioner's residence or surgery between the hours specified by the Board for a night visit	0	7	6

Provided that an account for such treatment is sent by the said practitioner to the Board, on a form provided for the purpose, within 14 days after the treatment is given. The Board shall have power to disallow any item of account but before doing so shall afford the practitioner reasonable opportunity of appearing before and being heard by a Committee of the Board composed of members of the medical profession and appointed for the purpose, or if he thinks fit, of submitting to them any statement in writing. The Board shall pay from the Practitioners' Fund to the practitioner providing the treatment the amount due in accordance with the scale of fees and the Board may deduct the amount from the remuneration of the practitioner responsible for treatment, unless satisfied that there was reasonable cause for his failure to attend, but in such case the Board shall afford the last mentioned practitioner reasonable opportunity of appearing before and being heard by a Committee of the Board composed of members of the medical profession and appointed for the purpose, or if he thinks fit, of submitting to such Committee any statement in writing.

Temporary Residents

18. A person who is accepted by or assigned to a practitioner as a temporary resident after the first day of a quarter will be deemed to be included in his list on the first day of the next quarter.

For the purpose of calculating each practitioner's share of the Practitioners' Fund credits in respect of temporary residents will be reckoned at four times the rate of credits in respect of permanent residents.

In the case of temporary residents who are inmates of a convalescent home or similar institution credits will be reckoned at twice the rate of credits in respect of permanent residents.

Partnerships

19. If two or more practitioners whose names are included in the medical list are practising in partnership any accounts to be rendered to the Board in respect of services rendered or drugs or appliances supplied by either or any of the partners may be rendered as a single account in the name of the partnership, and the receipt of either or any partner for payments made by the Board shall be a full and sufficient discharge.

Distribution of Practitioners' Fund

20. After payment of any special fees payable in respect of the administration of anaesthetics or in respect of emergency treatment the cost of which is not recovered from the responsible practitioner, or any other sums which may be charged against the Practitioners' Fund in accordance with these terms of service, the residue of one-fourth of the Practitioners' Fund for the year shall be added to any balance carried forward from a previous quarter and the resultant amount (in these terms of service referred to as the " Practitioners' Fund for the Quarter ") will be distributed amongst practitioners in the following manner as soon as may be after the end of each quarter :

(*a*) to the number of persons included in the list of each practitioner on the first day of each quarter there shall be added his due proportion (calculated to the nearest unit in the proportion that the number of persons included in his list bears to the total number of persons on the lists of all practitioners)

of persons in respect of whom an amount has been carried to the Practitioners' Fund under Regulation 17 of the Regulations who have not selected or been assigned to a practitioner;

(*b*) for each of the persons on the practitioner's list, or added to his list in accordance with the foregoing sub-paragraph, the practitioner shall be entitled to payment based upon an amount ascertained by dividing the Practitioners' Fund for the Quarter by the total number of persons represented by ninety-five per cent. of the civilian population of Northern Ireland at the 1st April each year, as estimated by the Registrar General for Northern Ireland and ignoring any fraction of a penny;

(*c*) any portion of the Practitioners' Fund for the Quarter not distributed among practitioners shall be carried forward to the next quarter;

(*d*) there shall be added to, or deducted from the amount ascertained to be payable to a practitioner in accordance with sub-paragraph (*b*) such sum as may be necessary on account of anaesthetists' fees, emergency treatment, or other adjustments required by the Regulations on these terms of service.

Power of Board in cases of dispute

21. Notwithstanding that any practitioner has notified the Board that he disputes the correctness of the statement of the number of patients included in his list or that owing to any doubt or dispute as to the number of patients included in the list of any practitioner or practitioners, or that for any reason the share of the Practitioners' Fund payable to any or each practitioner cannot be finally ascertained, the Board may distribute the said Fund and may make such subsequent adjustment as may be found necessary.

Limitation of payments in certain cases

22. For the purpose of the distribution of the Practitioners' Fund the number of patients included in the list of a practitioner shall not in any case be treated as exceeding the number permitted by the Regulations.

Adjustments of Practitioners' Remuneration

23. The Board shall have power to make any adjustment by way of deduction from, or addition to, the amount payable to any practitioner or practitioners which may be found necessary on account of any error or omission previously occurring.

Basis of Credits for Distribution of Mileage Fund

24. Credits to a practitioner for the purposes of payment from the Mileage Fund shall be based on the shortest distance by road from the residence of the person to the residence or nearest surgery of the practitioner.

Calculation of Mileage Credits

25. For the purpose of calculating the credits to each practitioner for payment from the Mileage Fund there shall be placed to his credit in respect of each person on his list units in accordance with the following scale:—

In respect of persons resident at a distance from the practitioner's residence or nearest surgery:—

Exceeding	2	miles	but not exceeding		3	miles	—	1	Unit
,,	3	,,	,,	,,	4	,,	—	2	units
,,	4	,,	,,	,,	5	,,	—	4	,,
,,	5	,,	,,	,,	6	,,	—	6	,,
,,	6	,,	,,	,,	7	,,	—	8	,,
,,	7	,,	,,	,,	8	,,	—	10	,,
,,	8	,,	,,	,,	9	,,	—	12	,,
,,	9	,,	,,	,,	10	,,	—	14	,,
,,	10	,,	,,	,,	11	,,	—	16	,,
,,	11	,,	,,	,,	12	,,	—	18	,,
,,	12	,,					—	20	,,

Provided that if a practitioner has upon his list more than 50 persons resident in one village or hamlet distant more than two miles from his residence or surgery such practitioner shall be credited with units calculated according to the foregoing scale in respect of the first fifty such persons on his list, with one half such credits for the next fifty such persons on his list, and with one fourth such credits in respect of the remaining persons on his list who reside in such village, or hamlet, the credits to be calculated to the nearest whole number.

Mileage Credits for the year

26. The number of units to the credit of a practitioner for the year shall be calculated by adding the number of units to his credit at the beginning of the year to the number to his credit at the end of the year and dividing the total by two :

Provided that —

(*a*) where in the course of the year a practitioner begins or ceases to provide general medical services the number of units to be credited to that practitioner for the year shall be determined by the Board. If any practitioner is dissatisfied with the number of units so determined the matter shall be referred for decision to the Central Medical Committee.

(*b*) the number of units to the credit of a practitioner for the period ending 31st March, 1949, shall be calculated by adding together the number of units to his credit at the 5th July, 1948, and at 31st March, 1949, and dividing the total by two.

Payment of Mileage for Emergency Cases

27. In cases in which payment is made to a practitioner in respect of treatment given in case of accident or other sudden emergency payment shall be made to the practitioner by whom the treatment is given at the rate of one shilling and sixpence for each mile or part of a mile beyond two miles of the distance between the residence of that practitioner and the place where treatment is given ; these payments shall be a first charge on the Mileage Fund, except in cases where the amount paid for treatment is deducted from the remuneration of the practitioner responsible for treatment, and in such cases the payment for mileage shall also be deducted from the amount which would otherwise be paid to the latter practitioner.

Payment of Mileage for Anaesthetist

28. Where the services of a second practitioner are required for the purpose of administering a general anaesthetic there shall, in addition to any fee payable out of the Practitioners' Fund, be payable out of the Mileage Fund the sum of one shilling and sixpence for each mile or part of a mile beyond two miles of the distance between the place where the anaesthetic was administered and the residence of the nearest available doctor.

Payment of Mileage for Temporary Residents

29. The number of units in respect of each temporary resident added to a practitioner's list during the course of a year shall be calculated in accordance with paragraph 25 and shall be added to the number of units credited to the practitioner in accordance with paragraph 26.

Mileage Payments to Practitioners

30. There shall be paid to each practitioner by way of mileage allowance a sum bearing the same proportion to the Mileage Fund for the year as the number of units to his credit for the year bears to the aggregate of units credited for the year to all practitioners included in the Medical List.

Date of payment and payment of advances

31. The final distribution of the Mileage Fund shall take place as soon as practicable after 31st March in each year ;

Provided that the Board may distribute among practitioners as advance payments on account of mileage in respect of a half-year sums not exceeding 30 per cent. of the total amount paid to them in respect of the preceding year.

Furnishing of Returns

32.—(*a*) Before forwarding a medical card or acceptance form to the Board, the practitioner, if he desires to claim mileage allowance, shall specify thereon the distance between the residence of the person and the residence of the practitioner or his nearest surgery where such distance exceeds two miles.

(*b*) If any person on a practitioner's list shall change his residence or the practitioner shall change his residence, or his surgery, as aforesaid, the practitioner shall so soon as he shall become aware of such change notify the Board of the new address, and of any alteration which ought to be made on the medical card or acceptance form in respect of mileage.

Exceptional Cases

33. The Board shall have power to consider exceptional cases and with the concurrence of the Central Medical Committee shall credit the practitioner concerned with such additional units as may be considered equitable.

Limitation of Mileage Payments

34. Notwithstanding anything in the foregoing paragraphs of this Part of this Schedule no payment from the Mileage Fund shall be made where the patient resides in a County Borough or where the patient resides in a Borough, Urban District, or Town and the practitioner resides or has a surgery in the same Borough, Urban District or Town or within two miles thereof.

PART II

Form of Application for inclusion in Medical List

To the Northern Ireland General Health Services Board

Name in full I .....

Private address residing at .....
a registered medical practitioner included in the medical register in that name † and having the following medical qualifications, namely —

apply to be included in the list of medical practitioners undertaking to provide general medical services for persons in Northern Ireland, and I accept service under, and agree to be bound by, the terms of service for the time being in operation.

I am not disqualified for undertaking service by reason of my name having been removed from the medical list or from any corresponding list of an Executive Council in Great Britain.

The limit of the area within which I undertake to visit patients and particulars of my surgery hours are given below.

I also undertake to visit, at the place of their residence when they were accepted by me, any patients who, at the time of such acceptance, resided outside the said area.

Limits of Area (Define as precisely as possible, e.g., in terms of radius from residence)	*Surgery*	*Days and hours of attendance*

* I propose to practice in partnership with.....

of.....

The name of the partnership is.....

* I propose to act as Assistant to.....

of.....

* Delete if inappropriate

* I have made arrangements under the Terms of Service for Dr.....

of.....to deputise for me.

† If the particulars in the Medical Register differ from those given above please give here full particulars of registration.

.....

Date of first registration.....

Signed.....

Date .....

SECOND SCHEDULE

PART I

List of Appliances

Animal wool
Atomisers, hand operated

Bandages :
- calico
- crepe
- domette
- elastic adhesive
- elastic web
- flannel
- indiarubber
- many-tailed
- muslin
- open wove
- plaster of Paris
- suspensory, cotton
- triangular
- zinc paste

Breast relievers
Brushes : when required for the proper administration of any drug forming part of general medical services.

Catheters :
- Urethral : gum-elastic, soft rubber } and lubricant for use therewith
- Suprapubic : rubber, and shields for use therewith

Cellulose tissue
Cellulose wadding
Chiropody felt
Corn and bunion plasters and rings
Cotton wool :
- absorbent
- grey
- medicated

Douches, with rectal and vaginal fittings
Dressings :
- Standard dressing B.P.C.
- Wound dressing, Boil dressing } as described in the Drug Tariff

Droppers : when required for the proper administration of any drug forming part of general medical services.

Elastic stockings

Gauze and cotton wool tissue :
- medicated
- unmedicated

Hypodermic needles : when required for self-administration of Insulin or Adrenaline.
Hypodermic syringes : when required for self-administration of Insulin or Adrenaline.

Ice bags :
- check sheeting
- indiarubber

Inhalers
Irrigators :
- eye (undine)
- nasal

Lints :
- surgical
- medicated
- unmedicated

Pessaries :
- ring
- Hodge's

Plaster :
- adhesive, spread or on spool
- elastic adhesive

Protectives :
- battiste
- gutta percha tissue
- jaconet
- oiled cambric
- oiled silk, including oiled artificial silk

Rubber tubing

Splints : including Gooch and Kramer splinting and poroplastic but excluding walking caliper splints, surgical boots and foot supports worn with boots or shoes.
Sputum flasks
Syringes :
- glass
- rubber

* Delete if inappropriate.

Elastic kneecaps
Elastic anklets
Elastic thigh pieces
Eye baths
Eye ointment rods
Eye shades
Finger stalls

Gauzes :
surgical
medicated
unmedicated

Tampons
Test tubes
Tows :
carbolised
unmedicated
Trusses

Vaccination shields and pads
Vaporisers

PART II

Chemical Reagents

Fehling's Solution and Benedict's Solution (Qualitative) when required for the proper regulation of the treatment of diabetes.

THIRD SCHEDULE

PART I

Terms of Service for Chemists

Interpretation

1. In these terms of service, unless the context otherwise requires,

"The Regulations" means the Health Services (General Medical and Pharmaceutical Services) Regulations, (Northern Ireland), 1948 and other words and expressions have the same meaning as in the Regulations;

"Chemist" means a person, firm or body corporate entitled to carry on the business of a pharmaceutical chemist under the Pharmacy and Poisons Acts (Northern Ireland), 1925 and 1945 who provides pharmaceutical services. The terms of service shall also apply except so far as the context may otherwise require to a person, firm or body corporate whose name is included in the pharmaceutical list for the purpose of supplying appliances only.

"Appliances" in relation to appliances ordered by a medical practitioner means appliances specified in Part I of the Second Schedule to the Regulations; and

"Drugs" in relation to drugs ordered by a dental practitioner means the drugs specified in the Second Schedule to the Health Services (General Dental Services) Regulations (Northern Ireland), 1948.

Incorporation of Provisions of Regulations, etc.

2. Any provisions of the Act and the Regulations and of the Health Services (Services Committee) Regulations (Northern Ireland), 1948 affecting the rights, duties and obligations of chemists and the provisions of any scheme made under the Regulations shall be deemed to form part of these terms of service.

Supply of Drugs and Appliances

3.—(1) (*a*) A chemist shall supply with reasonable promptness to any person who presents an order for drugs or prescribed appliances on a prescription form provided for the purpose by the Board and signed by a practitioner on the medical list of the Board or by his deputy or assistant such drugs or appliances as may be so ordered and shall, so far as practicable, keep in stock for that purpose all those drugs and appliances mentioned in the Drug Tariff for the time being in force as drugs or appliances which a chemist is required to keep.

(*b*) A chemist shall supply with reasonable promptness to any person who presents an order for a drug on a prescription form provided for the purpose by the Board and signed by a practitioner on the dental list of the Board or by his deputy or assistant such drug as may be so ordered.

(*c*) A chemist shall supply in a suitable container properly labelled any drugs which he is required to supply under this paragraph.

(2) All drugs and appliances so supplied which are included in the Drug Tariff shall be of a grade or quality not lower than the grade or quality specified therein. Drugs and prescribed appliances so supplied which are not included in the Drug Tariff shall be of a grade or quality not lower than the grade or quality ordinarily used for medical purposes.

(3) A chemist shall not give, promise or offer to any person any gift or reward (whether by way of a share of or dividend on the profits of the business or by way of discount or rebate or otherwise) as an inducement to or in consideration of his presenting an order for drugs or prescribed appliances on a prescription form provided by the Board.

Places and hours of business

4.—(1) Pharmaceutical services shall be provided at the place or places of business specified in the application made by the chemist for inclusion in the Board's list and the place or places shall be open for the supply of pharmaceutical services during the hours specified in the scheme to be made by the Board for that purpose under the Regulations.

(2) At each place of business at which a chemist provides pharmaceutical services he is required—

(i) to exhibit a notice to be provided by the Board in the form prescribed in Part III or Part IV of this Schedule or a form to the like effect; and

(ii) in the case of a registered pharmaceutical chemist to exhibit, at times when his place of business is not open and in such a manner as to be visible at such times, a notice to be provided by the Board indicating the facilities available for securing the dispensing of medicines urgently required.

Dispensing of Medicines

5. A chemist shall not dispense a prescription requiring the manufacture by him of a substance scheduled under the Therapeutic Substances Act, 1925, unless he holds a licence for the purpose.

Names of registered pharmaceutical chemists

6. A chemist shall, if so required by the Board, furnish to the Board the name or names of registered pharmaceutical chemists employed by him in dispensing medicines for persons receiving general medical or general dental services.

Drugs, etc., to be supplied without charge

7. All drugs, containers and appliances supplied under these terms of service shall be supplied free of charge.

Method of payment

8.—(1) A chemist is required to furnish to the Board or to such other person or body as they may direct, on dates to be appointed by the Board the forms upon which the orders for drugs and prescribed appliances supplied by him were given, arranged in such manner as the Board may direct, together with a statement containing such particulars relating to the provision by him of pharmaceutical services as the Board may from time to time require.

(2) The Board shall, if any chemist so requires, afford him reasonable facilities for examining all or any of the forms on which the drugs or appliances supplied by him were ordered together with particulars of the amounts calculated to be payable in respect of such drugs and appliances and if he takes objection thereto, the Board shall take such objection into consideration.

(3) The Board shall, if so required by the Local Pharmaceutical Committee or any organisation which is, in the Minister's opinion representative of the general body of chemists, afford the Local Pharmaceutical Committee or the said organisation similar facilities for examining such forms and particulars relating to all or any of the chemists and shall take into consideration any objection made thereto by the Local Pharmaceutical Committee or the said organisation.

(4) Payment will be made for drugs and prescribed appliances mentioned in the Drug Tariff at the prices specified therein and for drugs or prescribed appliances not mentioned in the Tariff in the manner set forth therein. The payment to be made for containers and in respect of dispensing fees shall be calculated in the manner set forth in the Tariff.

(5) The Board shall, when making payment to a chemist under this paragraph, furnish him with a statement showing the manner of calculation of the payment made.

Withdrawal from pharmaceutical list

9. A chemist is entitled at any time to give notice to the Board that he desires to withdraw his name from the list and his name shall be removed therefrom at the expiration of three months from the date of such notice or of such shorter period as the Board may agree :

Provided that if representations are made to the Tribunal under the provisions of Section 16 of the Act that the continued inclusion of a chemist in the list would be prejudicial to the efficiency of the service, he shall not, except with the consent of the Ministry and subject to such conditions as the Ministry may impose, be entitled to withdraw his name from the list pending the termination of the proceedings on such representations.

PART II

FORM OF APPLICATION FOR INCLUSION IN THE PHARMACEUTICAL LIST

NORTHERN IRELAND GENERAL HEALTH SERVICES

To the Northern Ireland General Health Services Board

I (We) .....

of .....

hereby undertake

* (*a*) to dispense medicines and supply drugs and appliances,

* (*b*) to supply appliances only,

under the terms for the time being in operation in Northern Ireland and apply to have my (our) name(s) included in the Board's list of persons providing pharmaceutical services.

I am (We are) not disqualified for undertaking service by reason of my (our) name(s) having been removed from the pharmaceutical list or from any corresponding list of an executive Council in Great Britain.

My (Our) place(s) of business for this purpose will be .....

.....

Signed .....

Date .....

* Delete (*a*) or (*b*) as necessary.

PART III

FORM OF NOTICE TO BE EXHIBITED BY REGISTERED PHARMACEUTICAL CHEMISTS

NORTHERN IRELAND GENERAL HEALTH SERVICES

(Name of person, firm or company contracting)

Under contract with the Northern Ireland General Health Services Board to dispense medicines and supply drugs and appliances.

This shop is open at the following times :—

PART IV

FORM OF NOTICE TO BE EXHIBITED BY PERSONS OTHER THAN REGISTERED PHARMACEUTICAL CHEMISTS

NORTHERN IRELAND GENERAL HEALTH SERVICES

(Name of person, firm or company contracting)

Under contract with the Northern Ireland General Health Services Board to supply appliances.

This shop is open at the following times :—

FOURTH SCHEDULE

PROVISIONS OF PART I OF THE FIRST SCHEDULE TO THE ACT WITH MODIFICATIONS AS THEY APPLY IN RELATION TO THE DRUG PRICING COMMITTEE.

1. The Drug Pricing Committee (hereinafter in this Schedule referred to as the " Committee ") established by the Board shall consist of a chairman, not being a pharmaceutical chemist, and six other members of whom four shall be pharmaceutical chemists.

2. The Committee may include persons who are not members of the Board, so, however, that not less than one-half of the members of the Committee shall be members of the Board.

3. The term of office of members of the Committee shall be fixed by the Board.

4. The Committee may act notwithstanding any vacancy in their number so long as the number of vacancies does not exceed the number of remaining members.

5. A casual vacancy occurring in the membership of the Committee shall be filled by the Board after consultation with the Committee ; and a person so appointed shall hold office for the residue of the term of the member in whose place he is so appointed.

6. A member of the Committee may resign his membership by giving to the Board notice in writing signed by him.

7. Where any member of the Committee is absent from the meetings thereof for more than six months consecutively (except for a reason approved by the Board) or becomes bankrupt, or makes a composition with his creditors or is convicted of an indictable offence, the Board shall forthwith by resolution declare the office to be vacant and shall proceed to fill the casual vacancy.

8. Where a person who provides any medical or other professional services under the Act is a member of the Committee he may vote upon any matter which touches the interests of members of his profession (himself included) but shall not vote upon any matter touching only his individual professional interests.

9. A person who is a member or officer of a local authority may be appointed a member of the Committee.

10. No defect in the qualification or appointment of any person acting as a member of the Committee shall vitiate any proceedings of the Committee in which he has taken part.

11. Every member of the Committee who at the time of his appointment was a member of the Board, shall, if he cease to be a member of the Board also cease to be a member of the Committee.

12. A person who held any paid appointment or office, or other place of profit in the disposal of the Northern Ireland General Health Services Board, the Northern Ireland Hospitals Authority, a Hospital Management Committee, the Northern Ireland Tuberculosis Authority or a local health authority, and who was dismissed from such appointment, office or place of profit, or a person whose name was removed under the provisions of Section 16 of the Act from any list prepared under Part II or Part III of the Act shall be permanently disqualified from membership of the Committee.
