the sum credited to a Council by the Minister for such payments by way of remuneration and allowances to practitioners as are referred to in paragraph 1 of Part II of the first schedule to these regulations shall be such sum as the Minister, with the consent of the Treasury, shall determine, and the sum so credited to a Council shall be distributed by the Council in accordance with the Minister's instructions".

Given under the official seal of the Minister of Health this fifth day of March, nineteen hundred and fifty-two.

(L.S.) *Harry Crookshank,*
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations extend to the year ending the 31st March, 1952, the special provision previously made in respect of the preceding year for the remuneration of doctors.

1952 No. 2135

The National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations, 1952

Made - - - -	10*th December*, 1952
Laid before Parliament	11*th December*, 1952
Coming into Operation	18*th December*, 1952

The Minister of Health in exercise of his powers under sections 33 and 74 of the National Health Service Act, 1946(**a**), as amended by section 14 of the National Health Service (Amendment) Act, 1949(**b**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations, 1952, and shall come into operation on the eighteenth day of December, 1952.

(2) The Interpretation Act, 1889(**c**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. There shall be inserted after regulation 4 of the National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948(**d**), the following new regulation:—

"4A.—(1) Where a Council has determined in accordance with the provisions of this regulation that a practitioner whose name has been included for the preceding 6 months in the list of medical practitioners undertaking to provide general medical services in the Council's area—

(*a*) has never provided such services for persons in the area since his name was last included in such list, or

(a) 9 & 10 Geo. 6. c. 81. (b) 12, 13 & 14 Geo. 6. c. 93. (c) 52 & 53 Vict. c. 63.
(d) S.I. 1948/506; Rev. XV, p. 575; 1948 I, p. 2140.

(*b*) has for the preceding 3 months ceased to provide such services for such persons,

the Council shall, after giving the practitioner 28 days' notice of their decision to do so, remove his name from such list unless the Minister directs to the contrary as hereinafter provided.

(2) Before making any determination under the last preceding paragraph the Council shall—

(*a*) afford the practitioner an opportunity of making representations to the Council in writing or, if the practitioner so desires, orally to a committee appointed by the Council for the purpose of which committee at least a third of the members shall be medical practitioners, and

(*b*) consult the Local Medical Committee for the area.

(3) A practitioner on whom a notice has been served under paragraph (1) of this regulation may within 21 days of receipt of such notice appeal to the Minister against a decision of the Council to remove his name from the list in question and pending the determination of such appeal the Council shall not remove the practitioner's name from the list.

The notice of appeal shall be in writing and shall set out the facts and contentions on which the practitioner intends to rely. On any such appeal the Minister shall, if he allows the appeal, direct that the Council shall not remove the name of the practitioner from the list.

(4) Any document which is required or authorised to be given to a practitioner under this regulation may be given by delivering it to the practitioner or by sending it in a prepaid letter addressed to him at his usual or last known address. If the document is sent by post it shall be deemed to be served, until the contrary is proved, at the time at which a letter would be received in the ordinary course of post.

(5) Nothing in this regulation shall affect a practitioner who is called up, voluntarily or otherwise, for National Service under the National Service Act, 1948, or in any national emergency and no determination under this regulation shall be made in respect of any such practitioner until 6 months after he has completed his period of service."

Given under the official seal of the Minister of Health this tenth day of December, nineteen hundred and fifty-two.

(L.S.) *Iain Macleod,*
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations make provision for the removal by an Executive Council from the list of medical practitioners who have undertaken to provide general medical services for persons in the area of the Council of the name of any medical practitioner in whose case it has been determined by the Council that he has never provided or has ceased to provide medical services in that area. They make provision also for the manner in which any such determination is to be made by an Executive Council and for a right of appeal to the Minister by a practitioner against the decision of a Council to remove his name from the list.