
STATUTORY INSTRUMENTS

1972 No. 1265

**Health and Personal Social Services
(Northern Ireland) Order 1972**

PART VI

GENERAL HEALTH SERVICES

Local representative committees

**[^{F1}Recognition of]^{F2} Local Dental Committees, Local Optical Committees and Local
Pharmaceutical Committees]**

Para. (1) rep. by 2004 NI 2

(2) [^{F3}The Department] may recognise a committee formed for [^{F4}an area] which it is satisfied is representative of—

- (a) the dental practitioners providing general dental services in that area;
- (b) those dental practitioners and the deputy dental practitioners for that area; or
- (c) the dental practitioners mentioned in—

(i) sub-paragraph (a); or

(ii) sub-paragraph (b),

and the Article 15B dental practitioners for that area,

and any committee so recognised shall be called the Local Dental Committee for the area.

(3) Where [^{F5}the Department] is satisfied that a committee formed for [^{F6}an area] is representative—

- (a) of the [^{F7}ophthalmic medical practitioners and] ophthalmic opticians providing general ophthalmic services in that area, or

- (b) of the persons providing pharmaceutical services in that area,

[^{F5}the Department] may recognise that committee; and any committee so recognised shall be called the Local Optical Committee or the Local Pharmaceutical Committee, as the case may be, for the area concerned.

(4) Any committee recognised under this Article may with the approval of [^{F8}the Department] delegate any of its functions, with or without restrictions or conditions, to sub-committees composed of members of that committee.

(5) For the purposes of this Article and Article 55A, a person who meets the condition in paragraph (6)—

Sub-paras. (a) and (b) rep. by 2004 NI 2

Changes to legislation: Health and Personal Social Services (Northern Ireland) Order 1972, Local representative committees is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) is a deputy dental practitioner for ^{F9}[an area] if he is a dental practitioner who assists a dental practitioner providing general dental services in that area in the provision of those services ^{F10} . . . ;
 - (d) is an Article 15B dental practitioner for ^{F11}[an area] if he is a dental practitioner who provides or performs personal dental services in accordance with arrangements made under Article 15B by ^{F12}[the Department] (whether with himself or another).
- (6) The condition referred to in paragraph (5) is that the person concerned has notified ^{F13}[the Department] that he wishes to be represented under this Article by the appropriate committee for ^{F14}[the area] (and has not notified it that he wishes to cease to be so represented).
- (7) For the purposes of paragraph (5)—
- (a) a person is to be treated as assisting a ^{F2}. . . dental practitioner in the provision of services if he is employed by that practitioner for that purpose or if he acts as his deputy in providing those services; ^{F15} . . .
 - (b) ^{F16}]

F1 2001 c. 3 (NI)

F2 2004 NI 2

F3 Words in art. 55(2) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 19(2)**; S.R. 2022/102, art. 2(b)

F4 Words in art. 55(2) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(a)**; S.R. 2009/114, **art. 2**

F5 Words in art. 55(3) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 19(3)**; S.R. 2022/102, art. 2(b)

F6 Words in art. 55(3) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(a)**; S.R. 2009/114, **art. 2**

F7 Words in art. 55(3)(a) inserted (26.3.2008) by Health (Miscellaneous Provisions) Act (Northern Ireland) 2008 (c. 2), **ss. 9**, 18(1)(a)

F8 Words in art. 55(4) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 19(4)**; S.R. 2022/102, art. 2(b)

F9 Words in art. 55(5)(c) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(b)(i)**; S.R. 2009/114, **art. 2**

F10 Words in art. 55(5)(c) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(b)(ii)**, **Sch. 7**; S.R. 2009/114, **art. 2**

F11 Words in art. 55(5)(d) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(c)**; S.R. 2009/114, **art. 2**

F12 Words in art. 55(5) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 19(4)**; S.R. 2022/102, art. 2(b)

F13 Words in art. 55(6) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 19(4)**; S.R. 2022/102, art. 2(b)

F14 Words in art. 55(6) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(d)**; S.R. 2009/114, **art. 2**

F15 Art. 55(7)(b) and word repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(e)**, **Sch. 7**; S.R. 2009/114, **art. 2**

F16 Art. 55(7)(b) and word repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(27)(e)**, **Sch. 7**; S.R. 2009/114, **art. 2**

Functions of^{F17} Local Dental Committees, Local Optical Committees and Local Pharmaceutical Committees]

55A.—(1) Regulations may require [^{F18}the Department] —

- (a) in the exercise of its functions under this Part to consult committees recognised by it under Article 55;
- (b) in the exercise of any of its functions which relate to arrangements under Article 15B to consult committees recognised by it under^{F17} Article 55(2)(c)],

on such occasions and to such extent as may be prescribed.

(2) The power conferred by paragraph (1) is without prejudice to [^{F19}any other duty on the Department] to consult any committee recognised under Article 55.

(3) Committees recognised under Article 55 shall exercise such other functions as may be prescribed.

(4) A committee recognised for an area under^{F17} paragraph (2)(b) or (c)] of Article 55 shall, in respect of each year, determine the amount of its administrative expenses for that year attributable—*Sub-paras. (a) and (b) rep. by 2004 NI 2*

- (c) in the case of a committee recognised under paragraph (2)(b) or (c)(ii) of that Article, to the deputy dental practitioners for the area;
- (d) in the case of a committee recognised under paragraph (2)(c) of that Article, to the Article 15B dental practitioners for the area.

(5) [^{F20}The Department] may, on the request of any committee recognised under Article 55 for [^{F21}an area], allot to that committee such sums for defraying the committee's administrative expenses as may be determined by [^{F22}the Department] .

(6) Any sums so allotted shall be out of the moneys available to [^{F23}the Department] for the remuneration of persons of whom the committee so recognised is representative and who provide^{F17}. . . , general dental services, general ophthalmic services or pharmaceutical services, as the case may be, under this Part.

(7) The amount of any such sums shall be deducted from the remuneration of those persons in such manner as may be determined by [^{F24}the Department] .

(8) Where a committee has made a determination under paragraph (4), it shall apportion the amount so determined among the^{F17}. . . , deputy dental practitioners or Article 15B dental practitioners, as the case may be, for the area and each such practitioner shall pay in accordance with the committee's directions the amount so apportioned to him.

(9) References in this Article to administrative expenses of a committee include references to travelling and subsistence allowances payable to its members; but the reference in paragraph (5) to a committee's administrative expenses does not include so much of the committee's administrative expenses as are determined under paragraph (4) to be attributable to any practitioners mentioned in that paragraph.

F17 2004 NI 2

F18 Words in art. 55A(1) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 20\(2\)](#); S.R. 2022/102, art. 2(b)

F19 Words in art. 55A(2) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 20\(3\)](#); S.R. 2022/102, art. 2(b)

F20 Words in art. 55A(5) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 20\(4\)\(a\)](#); S.R. 2022/102, art. 2(b)

Changes to legislation: *Health and Personal Social Services (Northern Ireland) Order 1972, Local representative committees is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F21** Words in art. 55A(5) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(28)**; S.R. 2009/114, **art. 2**
- F22** Words in art. 55A(5) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 20(4)(b)**; S.R. 2022/102, art. 2(b)
- F23** Words in art. 55A(6) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 20(5)**; S.R. 2022/102, art. 2(b)
- F24** Words in art. 55A(7) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 20(5)**; S.R. 2022/102, art. 2(b)

[^{F25}Local Medical Committees

55B.—(1) [^{F26}The Department] may recognise a committee [^{F27}formed for an area], which it is satisfied is representative of—

- (a) the persons to whom paragraph (2) applies; and
 - (b) the persons to whom paragraph (3) applies.
- (2) This paragraph applies to—
- (a) every medical practitioner who, under a general medical services contract entered into by him, is providing primary medical services in the area for which the committee is formed; and
 - (b) every medical practitioner who is providing general ophthalmic services in that area.
- (3) This paragraph applies to every other medical practitioner—
- (a) who is performing primary medical services in the area for which the committee is formed;
 - (i) pursuant to Article 56(2)(a);
 - (ii) in accordance with Article 15B arrangements; or
 - (iii) under a general medical services contract; and
 - (b) who has notified [^{F28}the Department] that he wishes to be represented by the committee (and has not notified it that he wishes to cease to be so represented).
- (4) A committee recognised under this Article shall be called the Local Medical Committee for the area for which it is formed.
- (5) Any such committee may delegate any of its functions, with or without restrictions or conditions, to sub-committees composed of members of that committee.
- (6) Regulations may require [^{F29}the Department] , in the exercise of its functions relating to primary medical services, to consult any committee recognised by it under this Article on such occasions and to such extent as may be prescribed.
- (7) A committee recognised under this Article shall have such other functions as may be prescribed.
- (8) A committee recognised under this Article shall in respect of each year determine—
- (a) the amount of its administrative expenses for that year attributable to persons of whom it is representative under paragraph (1)(a); and
 - (b) the amount of its administrative expenses for that year attributable to persons of whom it is representative under paragraph (1)(b).
- (9) [^{F30}The Department] may—
- (a) on the request of a committee recognised by it, allot to that committee such sums for defraying the expenses referred to in paragraph (8)(a) as it may determine; and

(b) deduct the amount of such sums from the remuneration of persons of whom it is representative under paragraph (1)(a) under the general medical services contracts, or arrangements under Article 62, entered into by them with [^{F31}the Department] .

(10) A committee recognised under this Article shall apportion the amount determined by it under paragraph (8)(b) among the persons of whom it is representative under paragraph (1)(b); and each such person shall pay in accordance with the committee's directions the amount so apportioned to him.

(11) References in this Article to the administrative expenses of a committee include the travelling and subsistence allowances payable to its members.]

F25 2004 NI 2

F26 Words in art. 55B(1) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 21(2)**; S.R. 2022/102, art. 2(b)

F27 Words in art. 55B(1) substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), **Sch. 6 para. 3(29)**; S.R. 2009/114, **art. 2**

F28 Words in art. 55B(3)(b) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 21(3)**; S.R. 2022/102, art. 2(b)

F29 Words in art. 55B(6) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 21(4)**; S.R. 2022/102, art. 2(b)

F30 Words in art. 55B(9) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 21(5)(a)**; S.R. 2022/102, art. 2(b)

F31 Words in art. 55B(9) substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 21(5)(b)**; S.R. 2022/102, art. 2(b)

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Changes and effects yet to be applied to :

- Instrument amended by [1995 c. 51 s.4Sch. para.30](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 56(4C)(4D) substituted by [S.I. 2002/3135 Sch. 1 para. 16](#) (This amendment has not been applied as it has been superceded by the substitution of art. 56 by 2004/311 NI 2 art. 3)
- art. 61-61E and art. 61F and cross-heading substituted for art. 61 by [2008 c. 2 \(N.I.\) s. 2\(2\)](#) (This amending provision is itself amended (13.6.2016) before it comes into force by 2016 c. 26 (N.I.), ss. 9, 20(2))
- art. 98(3) added by [2008 c. 2 \(N.I.\) s. 4\(1\)](#)
- art. 107(1A) inserted by [2008 c. 2 \(N.I.\) s. 4\(4\)\(b\)](#)