

1985 No. 39

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The Family Practitioner Committees (Consequential
Modifications) Order 1985**

<i>Made</i> - - - - -	10th January 1985
<i>Laid before Parliament</i>	30th January 1985
<i>Coming into Operation</i>	1st April 1985

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The Secretary of State for Social Services, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 5(7) of the Health and Social Security Act 1984(a) and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Family Practitioner Committees (Consequential Modifications) Order 1985 and shall come into operation on 1st April 1985.

Shops Act 1950

2. In the following provisions of the Shops Act 1950(b) (which relate to Sunday trading)—

- (a) proviso (v) to section 22(1); and
- (b) paragraph 1(g) of Schedule 5,

for the words “an Area or District Health Authority” there shall be substituted the words “a Family Practitioner Committee”.

Landlord and Tenant Act 1954

3. In subsection (6) of section 57 of the Landlord and Tenant Act 1954(c) (modification on grounds of public interest of rights under Part II) after the words “District Health Authority” there shall be inserted the words “Family Practitioner Committee”.

Public Records Act 1958

4. In the Public Records Act 1958(d), in the list of bodies and establishments under Government departments contained in Part I of the Table in Schedule 1, after the entry relating to National Health Service Authorities there shall be inserted the following entry:—

“Family Practitioner Committees”.

Leasehold Reform Act 1967

5. In section 28 of the Leasehold Reform Act 1967(e) (retention or resumption of land required for public purposes)—

- (a) in subsection (5)(d), after the words “District Health Authority” there shall be inserted the words “any Family Practitioner Committee”; and

(a) 1984 c. 48.
(b) 1950 c. 28; the relevant provisions were amended by the Health Services Act 1980 (c. 53), section 1 and Schedule 1, paragraph 7.
(c) 1954 c. 56; section 57(6) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 10.
(d) 1958 c. 51.
(e) 1967 c. 88; section 28(5) and (6) were amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 18.

- (b) in subsection (6)(c), after the words “District Health Authority”, there shall be inserted the words “Family Practitioner Committee”.

Health Services and Public Health Act 1968

6.— (1) In section 63 of the Health Services and Public Health Act 1968(a) (provision of instruction for persons employed etc in activities connected with health and welfare)—

- (a) in subsection (1)(a), after the words “District Health Authority” there shall be inserted the words “, Family Practitioner Committee”;
- (b) in subsection (2)(b), for the words “an Area Health Authority District Health Authority” there shall be substituted the words “a Family Practitioner Committee”.

(2) In subsection (3)(b) of section 64 of that Act(b) (financial assistance to voluntary organisations), for the words “an Area Health Authority or District Health Authority” there shall be substituted the words “a Family Practitioner Committee”.

National Health Service Act 1977

7.— (1) The National Health Service Act 1977(c) shall have effect subject to the modifications in the following paragraphs.

(2) In section 18(3)(d) (directions generally), the words from “established by the Authority” to “established or adopted” shall be omitted.

(3) In section 29 (arrangements and regulations for general medical services)—

- (a) for subsection (1) there shall be substituted—

“(1) It is the duty of every Family Practitioner Committee, in accordance with regulations, to arrange as respects their locality with medical practitioners to provide personal medical services for all persons in the locality who wish to take advantage of the arrangements.

(1A) The services so provided are referred to in this Act as ‘general medical services’.”;

- (b) in subsection (2)—

(i) in paragraph (e)(e), for the words “area or district” in both places where they occur there shall be substituted the word “locality”;

(a) 1968 c. 46; section 63 was amended by the National Health Service Act 1977 (c. 49), section 129 and Schedule 15, paragraph 45 and the Health Services Act 1980, section 1 and Schedule 1, paragraph 19(3).

(b) Section 64(3)(b) was amended by the National Health Service Reorganisation Act 1973 (c. 32), section 37 and Schedule 4, paragraph 125(2) and the Health Services Act 1980, section 1 and Schedule 1, paragraph 19(4).

(c) 1977 c. 49.

(d) Section 18(3) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 92.

(e) Section 29(2)(e) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 42(b).

(ii) in paragraph (f)(a), after the word “services” there shall be added the words “in the locality of a Family Practitioner Committee”;

(c) in subsection (6)(b), for the word “district” in both places where it occurs there shall be substituted the word “locality”.

(4) In section 30 (applications to provide general medical services), for the words from “in the prescribed manner” to “by the Authority” there shall be substituted the words “by medical practitioners in the prescribed manner to a Family Practitioner Committee for inclusion in a list kept by that Committee of the names of medical practitioners undertaking to provide general medical services for persons in the Committee’s locality shall be referred by the Committee”.

(5) In subsection (1) of section 31 (requirement of suitable experience) the following paragraph shall be substituted for paragraph (b):—

“(b) a Family Practitioner Committee shall not arrange under section 29 above with a medical practitioner for him to provide general medical services for persons in the Committee’s locality unless the Medical Practices Committee have granted an application by him for the inclusion of his name in the list kept by the Family Practitioner Committee of medical practitioners undertaking to provide general medical services for persons in their locality.”.

(6) In subsection (3)(a) of section 32(c) (regulations as to section 30), for the words “areas or districts”, there shall be substituted the word “localities”.

(7) In section 33(d) (distribution of general medical services)—

(a) the following subsection shall be substituted for subsection (1):—

“(1) The Medical Practices Committee may refuse any applications under section 30 above on the grounds that the number of medical practitioners undertaking to provide general medical services in the locality of the Family Practitioner Committee concerned or in the relevant part of that locality is already adequate.”;

(b) in subsection (2), for the words “area or district or part of an area or district” there shall be substituted the words “locality or part of a locality”;

(c) the following subsections shall be substituted for subsections (3) and (4)—

“(3) Before selecting any persons under subsection (2) above the Medical Practices Committee shall consult the Family Practitioner Committee concerned, and the Family Practitioner Committee shall, if a Local Medical Committee has been formed for their locality and recognised under section 44 below, consult that Local

(a) Section 29(2)(f) was added by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), section 14 and Schedule 6, paragraph 2(1).

(b) Section 29(6) was inserted by the Health and Social Services and Social Security Adjudications Act 1983, section 14 and Schedule 6, paragraph 2(2).

(c) Section 32(3)(a) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 45.

(d) Section 33 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 46.

Medical Committee before expressing their views on the persons to be selected.

(4) Except as provided in subsections (1) to (3) above or as required by section 31 above, the Medical Practices Committee shall not refuse any application under section 30, but may grant an application subject to conditions excluding the provision of general medical services by the applicant in such part or parts of the Family Practitioner Committee's locality as the Medical Practices Committee may specify.”;

(d) in subsection (8)(a), for the words “area or district or in part of the area or district concerned”, there shall be substituted the words “locality concerned or part of it”.

(8) In section 34 (regulations for Medical Practices Committee)—

(a) for the words from the beginning of sub-paragraph (a) to the end of sub-paragraph (a)(i) there shall be substituted the following words:—

“(a) for requiring Family Practitioner Committees to make to the Medical Practices Committee, at such times and in such manner as may be prescribed, reports as to—

(i) the number of medical practitioners required to meet the reasonable needs of their localities and the different parts of those localities;”;

(b) for sub-paragraph (b)(iii) shall be substituted the following sub-paragraph:—

“(iii) requiring Family Practitioner Committees and applicants to be informed of the decisions of the Medical Practices Committee and the Secretary of State.”.

(9) The following subsections shall be substituted for subsection (1) of section 35 (arrangements for general dental services)—

“(1) It is the duty of every Family Practitioner Committee, in accordance with regulations, to make as respects their locality arrangements with dental practitioners under which any person in the locality for whom a dental practitioner undertakes in accordance with the arrangements to provide dental treatment and appliances shall receive such treatment and appliances.

(1A) The services so provided are referred to in this Act as general dental services.”.

(10) In paragraph (1)(d) of section 36(a) (regulations as to section 35), for the words “area or district” in both places where they occur, there shall be substituted the word “locality”.

(11) In section 38(b) (arrangements for general ophthalmic services), for the words from the beginning to “or district” there shall be substituted the words “It is the duty of every Family Practitioner Committee, in accordance with regulations, to arrange as respects their locality”.

(a) Section 36 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 49 and the Health and Social Security Act 1984 (c.48), Section 5 and Schedule 3, paragraph 5.

(b) Section 38 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 51.

(12) In paragraph (d) of section 39(a) (regulations as to arrangements for general ophthalmic services), for the words “area or district”, in both places where they occur, there shall be substituted the word “locality”.

(13) In section 41(b) (arrangements for pharmaceutical services)—

(a) for the words from the beginning to “or district”, in the second place where those words occur, there shall be substituted the words “It is the duty of every Family Practitioner Committee, in accordance with regulations, to arrange as respects their locality for the supply to persons who are in that locality”;

(b) in paragraph (b), for the words “that Authority”, there shall be substituted the words “a health authority”.

(14) In paragraph (c) of section 42(c) (regulations as to arrangements for pharmaceutical services), for the words “area or district”, in both places where they occur, there shall be substituted the word “locality”.

(15) In subsection (1) of section 43(d) (persons authorised to provide pharmaceutical services), for the words “an Area or District Health Authority”, there shall be substituted the words “a Family Practitioner Committee”.

(16) In section 46(e) (disqualification of practitioners)—

(a) in subsection (1), for the words “an Area or District Health Authority” there shall be substituted the words “a Family Practitioner Committee”;

(b) in subsection (2)—

(i) for the words “an Area or District Health Authority”, there shall be substituted the words “a Family Practitioner Committee”;

(ii) in paragraph (b) for the words “Area or District Health Authority” there shall be substituted the words “Family Practitioner Committee”;

(c) in subsection (4), for the words “Area or District Health Authority or Authorities”, there shall be substituted the words “Family Practitioner Committee or Committees”.

(17) The following subsections shall be substituted for subsections (2) and (3) of section 54 (prohibition of sale of medical practices)—

“(2) Where a medical practitioner whose name has ceased to be entered on any list of medical practitioners undertaking to provide general medical services practises in the locality of a Family Practitioner Committee without his name ever having been entered on a list of medical practitioners undertaking to provide general medical services there, subsection (1) above

(a) Section 39 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 52.

(b) Section 41 was amended by the Health Services Act 1980, sections 1 and 20 and Schedule 1, paragraph 53.

(c) Section 42(c) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 54.

(d) Section 43(1) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 55.

(e) Section 46(1), (2) and (4) was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 58.

does not render unlawful the sale of the goodwill or any part of the goodwill of his practice in that locality.

(3) Subsection (1) above does not prevent the sale of the goodwill or any part of the goodwill of a medical practice carried on in any such locality, being a sale by a medical practitioner whose name has never been entered on a list of medical practitioners undertaking to provide general medical services there, notwithstanding that any part of the goodwill to be sold is attributable to such a practice previously carried on by a person whose name was entered on such a list.

(4) In this section 'general medical services' includes the services so described provided pursuant to the provisions of the National Health Service Act 1946(a) by arrangement with an Executive Council or pursuant to the provisions of the National Health Service Reorganisation Act 1973(b) by arrangement with a Family Practitioner Committee."

(18) In section 55(c) (decision of disputes), for the words "an Area or District Health Authority", there shall be substituted the words "a Family Practitioner Committee".

(19) In section 56(d) (inadequate services)—

- (a) for the words from "any area" to "District Health Authority", there shall be substituted the words "the locality of a Family Practitioner Committee or part of the locality of such a Committee";
- (b) for the words "area or district or in that part of that area or district", there shall be substituted the words "locality or part";
- (c) for the words "area, district or part", there shall be substituted the words "locality or part".

(20) The following paragraph shall be substituted for paragraph (b) of section 110 (investigation by Health Service Commissioners for England and for Wales)—

"(b) a Family Practitioner Committee whose locality is in Wales, or".

(21) In section 119(e) (reports by Commissioners)—

- (a) in paragraph (d), the words "or a Family Practitioner Committee" shall be omitted;
- (b) paragraph (f), and the word "and" preceding it, shall be omitted.

(22) In Schedule 5 (health authorities and Family Practitioner Committees)—

- (a) in paragraph 10 (staff)—
 - (i) in sub-paragraph (2), the words "which is not a Family Practitioner Committee" shall be omitted,

(a) 1946 c. 81.

(b) 1973 c. 32.

(c) Section 55 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 60.

(d) Section 56 was amended by the Health Services Act 1980, section 1 and Schedule 1, paragraph 61.

(e) Section 119 was amended by the Health Services Act 1980, sections 1 and 2 and Schedule 1, paragraphs 74 and 98.

- (ii) in sub-paragraph (3)(c), the words “other than a Family Practitioner Committee” shall be omitted;
- (b) in paragraph 12 (regulations about appointment and tenure of office), in sub-paragraph (a), after the word “chairman” there shall be inserted the word, “vice-chairman”.

Employment Protection (Consolidation) Act 1978

8. In the Employment Protection (Consolidation) Act 1978(a)—

- (a) in section 29 (time off for public duties)—
 - (i) in subsection (1)(d), after the words “District Health Authority”, there shall be inserted the words “or a Family Practitioner Committee”;
 - (ii) in subsection (2)(b), after the words “District Health Authority”, there shall be inserted the words “and ‘Family Practitioner Committee’ ”;
- (b) in Schedule 5 (National Health Service employers), after the words “District Health Authority”, there shall be inserted the words “Family Practitioner Committee”.

Health Services Act 1980

9. In Schedule 1 to the Health Services Act 1980(b) (amendments consequential on changes in the local administration of the health service)—

- (a) paragraphs 7, 8 and 35;
- (b) paragraph 42;
- (c) in paragraph 43(a), the words from “between the words” to “omitted and”;
- (d) paragraphs 44, 45, 46, 47, 48, 49 and 51;
- (e) in paragraph 52, the words from “and, in paragraph (c)” to the end;
- (f) paragraphs 53, 54, 55, 58, 59, 60 and 61;
- (g) in paragraph 73, the words from “and” to the end;
- (h) paragraph 98,

shall be omitted.

The National Health Service (General Dental Services) Regulations 1973

10. The National Health Service (General Dental Services) Regulations 1973(c) shall have effect subject to the following modifications—

- (a) in regulation 2(1) (interpretation)—
 - (i) the definition of “area” shall be omitted;

(a) 1978 c. 44; section 29 and Schedule 5 were amended by the Health Services Act 1980, section 1 and Schedule 1, paragraphs 84 and 85.

(b) 1980 c. 53.

(c) S.I. 1973/1468; the relevant amending instruments are S.I. 1974/53, 1982/288.

(ii) after the definition of "listed drugs" there shall be inserted the following definition:—

" 'locality' means the locality for which a Committee is established;";

(b) in regulation 3 (terms of service), for the words from the beginning to "incorporate", there shall be substituted the words—

"The services, arrangements for the provision of which, pursuant to section 35 of the National Health Service Act 1977, it is, by virtue of section 15 of that Act, the duty of the Committee to administer, shall incorporate";

(c) in regulation 4 (dental list)—

(i) in paragraph (1), for the word "area", in both places where it occurs, there shall be substituted the word "locality",

(ii) in paragraph (4)(b), for the words from "the Regional Health Authority" to "area of the Committee", there shall be substituted the words—

"the Regional Health Authority or the District Health Authority any part of whose region or district as the case may require is in the locality of the Committee";

(d) in regulation 10(4)(a) (tenure of office of chairman and vice-chairman of Dental Estimates Board), for the words "Board of Governors" there shall be substituted the words "a Committee";

(e) in regulation 28 (publication of particulars), for the word "area" there shall be substituted the word "locality".

The Welsh Health Technical Services Organisation (Establishment and Constitution) Order 1973

11. In the Welsh Health Technical Services Organisation (Establishment and Constitution) Order 1973(a), in article 13(2)(d) (appointment of Welsh Pricing Committee), for the words "by the Family Practitioner Committees" to the end there shall be substituted the words "by the Family Practitioner Committees established for localities in Wales."

The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974

12.— (1) The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974(b) shall have effect subject to the modifications set out in the following paragraphs.

(2) In regulation 2(1) (interpretation)—

(a) the definitions of "area" and "Authority" shall be omitted;

(b) after the definition of "listed drugs and medicines", there shall be inserted the following definition:—

(a) S.I. 1973/1624; the relevant amending instrument is S.I. 1982/288.

(b) S.I. 1974/160; the relevant amending instruments are S.I. 1975/719, 1982/288, 1283, 1983/313.

“ ‘locality’, except in the expression controlled locality, means the locality for which a Committee is established;”;

- (c) in the definition of “Local Obstetric Committee”, for the words “the area of an Authority”, there shall be substituted the words “a locality”.
- (3) In regulation 3(1) (scope of services), for the words from the beginning to the word “administer”, there shall be substituted the words “The services, arrangements for the provision of which, pursuant to sections 29 and 41 to 43 of the National Health Service Act 1977, it is, by virtue of section 15 of that Act, the duty of the Committee to administer”.
- (4) In regulation 7 (medical list and practice vacancy applications)—
- (a) in paragraph (2), for the word “district”, there shall be substituted the word “locality”;
- (b) in paragraph (3), the words after “that committee” shall be omitted.
- (5) In regulation 9(1) (reports by the Family Practitioner Committee)—
- (a) the words “and after consultation with the Authority for its area” shall be omitted;
- (b) for the words “the area”, there shall be substituted the words “the locality”.
- (6) In regulation 10 (advertisement of vacancies), for the word “area” there shall be substituted the word “locality”.
- (7) In regulation 11(3) (procedure for determination of applications), for the word “area”, in both places where it occurs, there shall be substituted the word “locality”.
- (8) In regulation 17(6) (Allocation Joint Committee consultations), for the word “areas” there shall be substituted the word “localities”.
- (9) In regulation 18(6) (change of doctor), for the word “district”, there shall be substituted the word “locality”.
- (10) In regulation 20 (removal of person from doctor’s list)—
- (a) in paragraph (2), for the words “that area”, there shall be substituted the words “its locality”;
- (b) in paragraph (3), for the word “area” there shall be substituted the word “locality”.
- (11) In regulation 21 (arrangements for temporary residents)—
- (a) in paragraph (1)—
- (i) for sub-paragraphs (a) to (c) there shall be substituted the following sub-paragraphs:—
- “(a) is not on the list of a doctor providing general medical services in the locality where he is temporarily residing;
- (b) normally resides in a school or similar institution in the locality but is temporarily residing at home in that locality;

- (c) normally resides at home in the locality but is temporarily residing in any institution in that locality; or”,
- (ii) for the words “in the district” there shall be substituted the words “in the locality”;
- (b) in paragraph (2), for the word “area”, in the four places where it occurs, and for the word “district”, there shall be substituted the word “locality”;
- (c) in paragraph (3)(a), for the word “area” there shall be substituted the word “locality”.
- (12) In regulation 22(1)(a) (doctors’ lists), for the word “area” there shall be substituted the word “locality”.
- (13) In regulation 24(1) (payments to doctors), for the word “area” there shall be substituted the word “locality”.
- (14) For regulation 25 there shall be substituted the following regulation:—
- “Terms of service*
- 25.** The services, arrangements for the provision of which, pursuant to the provisions of sections 41 to 43 of the National Health Service Act 1977, it is, by virtue of section 15 of that Act, the duty of the Committee to administer—
- (a) shall include provision for the supply of contraceptive substances and appliances; and
- (b) shall incorporate the terms of service”.
- (15) In regulation 26(1)(a) (pharmaceutical list), for the word “area” there shall be substituted the word “locality”.
- (16) In regulation 26A (referral of applications to the Rural Dispensing Committee)—
- (a) in paragraph (1)(a), before the word “locality” there shall be inserted the word “controlled”;
- (b) in paragraph (4), for the word “area”, in the three places where it occurs, there shall be substituted the word “locality”.
- (17) In regulation 29(1)(b) (schemes for securing proper pharmaceutical services), for the word “area” there shall be substituted the word “locality”.
- (18) In regulation 30E(8)(a) (powers of Rural Dispensing Committee in relation to applications), for the word “locality” there shall be substituted the word “area”.
- (19) In regulation 30F(7) (powers of Rural Dispensing Committee relating to rurality of an area), for the word “area”, in both places where it occurs, there shall be substituted the word “locality”.
- (20) In regulation 31 (publication of particulars)—
- (a) in paragraphs (2) and (3), for the word “area” in each place where it occurs, there shall be substituted the word “locality”;
- (b) in paragraph (3), the words “the Authority” shall be omitted.

- (21) In Schedule 1 (terms of service for doctors), in paragraph 29(2) (practice area)—
- (a) for the words “any area or part of the area of an Authority”, there shall be substituted the words “any locality or part of a locality”;
 - (b) for the words “that area”, there shall be substituted the words “that locality”.
- (22) In Part II of Schedule 1 (application for inclusion on the medical list)—
- (a) for the words “To the FAMILY PRACTITIONER COMMITTEE OF THE [NAME] AREA HEALTH AUTHORITY” there shall be substituted the words “To the [NAME] FAMILY PRACTITIONER COMMITTEE”;
 - (b) for the word “area”, except in the expression “practice area”, in both places where it occurs, there shall be substituted the word “locality”.
- (23) In Part III of Schedule 1 (application for filling a vacancy)—
- (a) for the words “To the FAMILY PRACTITIONER COMMITTEE OF THE [NAME] DISTRICT HEALTH AUTHORITY” there shall be substituted the words “To the [NAME] FAMILY PRACTITIONER COMMITTEE”;
 - (b) for the word “area”, except in the expression “practice area”, in the five places where it occurs, there shall be substituted the word “locality”.
- (24) In Part II of Schedule 4 (application for inclusion in pharmaceutical list by certain persons)—
- (a) for the words “To the FAMILY PRACTITIONER COMMITTEE OF THE [Name] DISTRICT HEALTH AUTHORITY” there shall be substituted the words “To the [NAME] FAMILY PRACTITIONER COMMITTEE”;
 - (b) for the word “area”, in both places where it occurs, there shall be substituted the word “locality”.
- (25) In Part III of Schedule 4 (application for inclusion in pharmaceutical list by other persons)—
- (a) for the words “To the FAMILY PRACTITIONER COMMITTEE OF THE [NAME] DISTRICT HEALTH AUTHORITY” there shall be substituted the words “To the [NAME] FAMILY PRACTITIONER COMMITTEE”;
 - (b) for the word “area”, in both places where it occurs, there shall be substituted the word “locality”.
- (26) In Parts IV, V and VI of Schedule 4, the words “[Name] DISTRICT HEALTH AUTHORITY”, in each place where they occur, shall be omitted.
- (27) In Schedule 4B, paragraph 3, for the word “areas” there shall be substituted the word “localities”.

The National Health Service (General Ophthalmic Services) Regulations 1974

13. The National Health Service (General Ophthalmic Services) Regulations 1974(a) shall have effect subject to the following modifications—

- (a) in regulation 2(1) (interpretation)—
 - (i) the definitions of “area” and “Authority” shall be omitted;
 - (ii) after the definition of “enactment”, there shall be inserted the following definition—
 - “ ‘locality’ means the locality for which a Committee is established”;
- (b) in regulation 6(3)(b) (ophthalmic list), for the word “area”, there shall be substituted the word “locality”;
- (c) in regulation 9(2) (removal from list), for the words “the area”, there shall be substituted the words “its locality”;
- (d) in regulation 11 (terms of service), for the words from the beginning to “Committee”, there shall be substituted the following words—
 - “The services, arrangements for the provision of which, pursuant to section 38 of the National Health Service Act 1977, it is, by virtue of the provisions of section 15 of that Act, the duty of the Committee”;
- (e) in regulation 21 (publication of particulars), for the word “area”, there shall be substituted the word “locality”.

The National Health Service (Remuneration and Conditions of Service) Regulations 1974

14. In the National Health Service (Remuneration and Conditions of Service) Regulations 1974(b), in regulation 2(1) (interpretation), in the definition of “authority” there shall be inserted at the end the words “or a Family Practitioner Committee”.

The National Health Service (Service Committees and Tribunal) Regulations 1974

15. The National Health Service (Service Committees and Tribunal) Regulations 1974(c) shall have effect subject to the following modifications:—

- (a) in regulation 2(1) (interpretation)—
 - (i) for the definition of “Administrator”, there shall be substituted the following definition—
 - “ ‘Administrator’ means the officer appointed by a Committee to act as Administrator to that Committee;”;
 - (ii) the definition of “area” shall be omitted;
 - (iii) in the definition of “Committee”, for the words “constituted for any area”, there shall be substituted the words “established for any locality”;

(a) S.I. 1974/287; the relevant amending instrument is S.I. 1982/288.

(b) S.I. 1974/296; the relevant amending instrument is S.I. 1982/288.

(c) S.I. 1974/455; the relevant amending instrument is S.I. 1982/288.

(iv) after the definition of “General Service Regulations”, there shall be inserted the following definition—

“ ‘locality’ means the locality for which a Committee is established”;

- (b) in regulation 3(6) (constitution of service committees), for the words after “appointed” where it first occurs, to the words “local authority”, there shall be substituted the words “otherwise than pursuant to the provisions of paragraph 6(3)(a) to (e) of Schedule 5 to the National Health Service Act 1977(a)”;
- (c) in regulation 10(2)(a) (decision of the Committee), for the word “area”, there shall be substituted the word “locality”;
- (d) in regulation 16 (investigation of excessive prescribing by doctors)—
- (i) in paragraph (1)(b), for the word “area”, there shall be substituted the word “locality”;
- (ii) in paragraph (8), for the words “area” and “areas” there shall be substituted respectively the words “locality” and “localities”;
- (e) in regulation 24 (powers of local representative committees to consider complaints), for the word “area”, in the four places where it occurs, there shall be substituted the word “locality”;
- (f) in paragraph 3 of Schedule 1 (interpretation of rules of procedure), in the definition of “lay member”, for the words after “service committee” there shall be substituted the words “has the meaning assigned to it in regulation 3(6)”.

The National Health Service (Injury Benefits) Regulations 1974

16. In regulation 2(1) of the National Health Service (Injury Benefits) Regulations 1974(b), in the definition of “employing authority”, after sub-paragraph (b) there shall be inserted the following sub-paragraph—

“(bb) a Family Practitioner Committee established by the Secretary of State pursuant to the provisions of section 10 of the National Health Service Act 1977(c);”.

The Prescription Pricing Authority Constitution Order 1978

17. In the Prescription Pricing Authority Constitution Order 1978(d), in article 2(1) (interpretation), in the definition of “Administrator”, for the words “by a District Health Authority” to the end there shall be substituted the words “as Administrator to a Family Practitioner Committee”.

(a) 1977 c. 49; paragraph 6 of Schedule 5 was amended by the Health and Social Security Act 1984 (c. 48), section 5 and Schedule 3, paragraph 12.

(b) S.I. 1974/1547; the relevant amending instrument is S.I. 1982/288.

(c) 1977 c. 49; section 10 was amended by the Health and Social Security Act 1984 (c. 48), section 5.

(d) S.I. 1978/331; the relevant amending instrument is S.I. 1982/288.

National Health Service (Vocational Training) Regulations 1979

18. In the National Health Service (Vocational Training) Regulations 1979(a), in regulation 4 (certificates and experience required)—

- (a) in paragraphs (1) and (2), for the words “District Health Authority”, in both places where they occur, there shall be substituted the words “Family Practitioner Committee”;
- (b) in paragraph (1), for the word “Authority’s” there shall be substituted the word “Committee’s”.

The National Health Service (Superannuation) Regulations 1980

19. The National Health Service (Superannuation) Regulations 1980(b) shall have effect subject to the following modifications—

- (a) in regulation 3 (definitions)—
 - (i) in the definition of “employing authority”, after the words “special health authority”, there shall be inserted the words “, a Family Practitioner Committee”;
 - (ii) in the definition of “Family Practitioner Committee”, for the words after “established” there shall be substituted the words “by the Secretary of State pursuant to section 10 of the Act of 1977(c);”;
- (b) in regulation 67 (application of regulations), for the words “District Health Authority”, there shall be substituted the words “Family Practitioner Committee”;
- (c) in regulation 69(2)(i) (meaning of remuneration), the words “or a District Health Authority” shall be omitted;
- (d) in regulation 77(b) (further modifications with respect to assistant practitioners), for the words “District Health Authority” there shall be substituted the words “Family Practitioner Committee”.

The National Health Service (Compensation for Premature Retirement) Regulations 1981

20. In the National Health Service (Compensation for Premature Retirement) Regulations 1981(d), in regulation 2(1) (interpretation), in the definition of “employing authority” after paragraph (c) there shall be inserted the following paragraph:—

“(cc) a Family Practitioner Committee established by the Secretary of State pursuant to section 10 of the National Health Service Act 1977(e).”.

(a) S.I. 1979/1644; the relevant amending instrument is S.I. 1982/288.
 (b) S.I. 1980/362; the relevant amending instrument is S.I. 1982/288.
 (c) Section 10 was amended by the Health and Social Security Act 1984 (c.48), section 5.
 (d) S.I. 1981/1263; the relevant amending instrument is S.I. 1982/288.
 (e) 1977 c. 49; section 10 was amended by the Health and Social Security Act 1984 (c. 48), section 5.

The National Health Service (Audit of Accounts of Health Authorities) Regulations 1982

21. In the National Health Service (Audit of Accounts of Health Authorities) Regulations 1982(a), in regulation 1(2) (interpretation), there shall be added at the end the words “, including any Family Practitioner Committee”.

The National Health Service Functions (Directions to Authorities and Administration Arrangements) Regulations 1982

22. The National Health Service Functions (Directions to Authorities and Administration Arrangements) Regulations 1982(b) shall have effect subject to the following modifications—

- (a) in regulation 4(2) (which restricts the exercise of certain functions by Regional Health Authorities), after the word “land” there shall be inserted the words “or with respect to land and other property in the circumstances referred to in regulation 12(3)”;
- (b) paragraph (2) of regulation 10 (arrangements by District Health Authorities for exercise of functions) shall be omitted;
- (c) regulation 11 (prescribed function) shall be omitted;
- (d) in regulation 12 (arrangements by Committees for exercise of functions)—
 - (i) in paragraph (1), for the words “which has established or adopted such Committee” there shall be substituted the words “any part of whose district is in the locality of such Committee”;
 - (ii) in paragraph (2), for the words “District Authority”, there shall be substituted the word “Committee”;
- (e) at the end there shall be added the following paragraph:—

“(3) The following functions are prescribed for the purpose of section 15(1)(b) of the Act—

 - (a)(i) the acquisition (otherwise than in the exercise of compulsory purchase powers) and the disposal of land and other property,
 - (ii) the control, maintenance and management of land and other property,

on behalf of the Secretary of State in circumstances where the land or other property is, as the case may be, required or wholly or mainly occupied for purposes relating to the exercise of a Committee’s functions under section 15(1)(a) of the Act or is in the possession or control of a Committee for such purposes;

 - (b) the provision on behalf of the Secretary of State by virtue of section 63(1), (3), (5) and (6) of the Health Services and Public Health Act 1968(c) of instruction and the provision of materials

(a) S.I. 1982/277.

(b) S.I. 1982/287; there are no relevant amending instruments.

(c) 1968 c. 46; section 63 was amended by the National Health Service Reorganisation Act 1973 (c. 32), section 57 and Schedule 4, paragraph 124, the National Health Service Act 1977 (c. 49), section 129 and Schedule 15, paragraph 45 and the Health Services Act 1980 (c. 53), section 1 and Schedule 1, paragraph 19.

and premises necessary for or in connection with the provision of any such instruction.”.

General

23. Except where the context otherwise requires, any reference to a Family Practitioner Committee in an instrument made, or having effect as if made(a), by virtue of the National Health Service Act 1977 shall, in relation to anything done or falling to be done after 31st March 1985, be construed as a reference to such a Committee established by order under section 10(1) of that Act(b).

Revocations

24. The Orders specified in column 1 of the Schedule to this Order are hereby revoked to the extent mentioned in column 3 of that Schedule.

Signed by authority of the Secretary of State for Social Services.

John Patten,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

9th January 1985.

Nicholas Edwards,
Secretary of State for Wales.

10th January 1985.

(a) See the National Health Service Act 1977 (c.49), section 129 and Schedule 14, paragraph 1(1).
(b) Section 10 was amended by the Health and Social Security Act 1984 (c. 48), section 5(1).

SCHEDULE

Article 24

Orders revoked 1	Reference 2	Extent of Revocation 3
The National Health Service (General Dental Services) Regulations 1973 Amendment Order 1974	S.I. 1974/53	Article 2(1)(a) and (c), (2)(a), (3)(b)(i)
The Health Services Act 1980 (Consequential Amendments) Order 1982	S.I. 1982/288	Articles 5(a)(i), (b), (c), (d), 8, 13, 16(a) and (c), 25, 27(a), 28(c), (d) and (e)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes such repeals in or other modifications of the enactments or instruments cited in it as appear to be necessary or expedient in consequence of subsections (1), (2) and (4) of section 5 of the Health and Social Security Act 1984. That section substitutes a new section 10 of the National Health Service Act 1977 which provides for Family Practitioner Committees to be established by the Secretary of State in place of those established or adopted by District Health Authorities and for those Committees to arrange for the provision of the Family Practitioner Services.

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