
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for lists of persons performing primary medical care to be kept by Primary Care Trusts in accordance with the provisions of section 28X of the National Health Service Act 1977.

Part 1 lays down general provisions relating to lists and regulation 2 provides some definitions for the Regulations.

Regulation 3 provides that each Primary Care Trust must prepare and publish lists.

Regulation 4 sets out how to apply to be included in the list and requires certain information to be given.

Regulation 5 provides for a performer to be readmitted to the list on a successful appeal against conviction.

Regulation 6 sets out the grounds on which the Primary Care Trust may or must refuse to admit a performer to the list, and the matters to which it must have regard.

Regulation 7 sets out the circumstances in which a Primary Care Trust may defer consideration of an application to include a performer in its list and the procedure to be followed.

Regulation 8 allows Primary Care Trusts to enter a performer's name in its list subject to condition. It also allows a performer's name to be included in that list, until any appeal has been decided, provided he agrees to be bound by the condition until the appeal is determined.

Regulation 9 provides for a requirement that a performer notify the Primary Care Trust in writing, within 7 days, if he, or a company of which he is a director, incurs any criminal convictions or other specified matters occur.

Regulation 10 provides for the mandatory removal from its list by a Primary Care Trust of any performer on certain specified grounds, and for the discretionary removal on other specified grounds.

Regulation 11 sets out the criteria for decisions on discretionary removals from the list.

Regulation 12 provides for a Primary Care Trust to impose conditions on a performer who is in the list and for him to be removed if he fails to comply with those conditions.

Regulation 13 provides for a Primary Care Trust to suspend a performer from its list, if certain conditions are met, for the procedure to be then followed and provides for payment to suspended performers.

Regulation 14 provides for review and the procedure to be followed by a Primary Care Trust where it decides to conditionally include, contingently remove, or suspend a performer from its list.

Regulation 15 provides for appeals from specified decisions to be heard by the FHSAA.

Regulation 16 provides for a Primary Care Trust to notify specified persons of specified information relating to decisions to refuse to admit, impose conditions, remove (or contingently remove) or suspend a performer from the list.

Regulation 17 provides for the circumstances in which a performer may or may not withdraw from the list and regulation 18 provides for the circumstances in which a performer may not withdraw from the list.

Regulation 19 amends the statutory period for review set out in section 49N of the National Health Service Act 1977 in specified circumstances.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulation 20 provides for the disclosure of information to specified persons.

Part 2 (regulations 21 to 27) modifies the general provisions in Part 1 to make provisions specific to general medical practitioners and regulation 21 provides some definitions for Part 2.

Regulation 22 provides, subject to specified exceptions, that no general medical practitioner may perform any primary medical services unless included in such a list, what information is to be included in the list and that the list shall be published.

Regulation 23 supplements regulation 4 by providing for certain specific information to be provided by general medical practitioners.

Regulation 24 provides further grounds on which the Primary Care Trust may or must refuse to admit a general medical practitioner to its list, and matters to which it must have regard.

Regulation 25 provides an exception, subject to a further requirement, to the requirement to participate in a Primary Care Trust's appraisal scheme.

Regulation 26 provides additional grounds for the mandatory removal from its list by a Primary Care Trust of a general medical practitioner, and modifies certain provisions for removal from a list in regulation 10.

Regulation 27 provides an additional ground of appeal for a general medical practitioner to those in regulation 15.

Schedule 1 makes transitional and consequential provisions.

Schedule 2 makes various revocations.