
STATUTORY INSTRUMENTS

1998 No. 1664

**MEDICAL PROFESSION
NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Medical Act 1983 (Approved Medical Practices and
Conditions of Residence) and National Health Service
(General Medical Services) (Amendment) Regulations 1998**

<i>Made</i>	- - - -	<i>9th July 1998</i>
<i>Laid before Parliament</i>		<i>10th July 1998</i>
<i>Coming into force</i>	- -	<i>31st July 1998</i>

The Secretary of State for Health, in exercise of powers conferred on him by section 11(3)(b) and (4) of the Medical Act 1983(1) and by section 29 and 126(4) of the National Health Service Act 1977(2) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Medical Act 1983 (Approved Medical Practices and Conditions of Residence) and National Health Service (General Medical Services) (Amendment) Regulations 1998 and shall come into force on 31st July 1998.

(2) In regulations 2 and 3, “PRHO” means a person engaged in employment under section 10 of the Medical Act 1983(3) in an approved medical practice.

(3) These Regulations extend to England and Wales only.

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- (1) 1983 c. 54. Section 11 was amended by S.I. 1996/1591, Schedule 2, paragraph 3 and by the National Health Service (Primary Care) Act 1997 (c. 46), section 35 and Schedule 2, paragraph 61(2).
- (2) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 29 was extended by the Health and Medicines Act 1988 (c. 49), section 17; and amended by the Health Services Act 1980 (c. 53), sections 1 and 7 and Schedule 1, paragraph 42(b); by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; by the Medical Act 1983 (c. 54), section 56(1) and Schedule 5, paragraph 16(a); by S.I. 1985/39, article 7(3); by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 18; and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 8. Section 126(4) was amended by the 1990 Act, section 65(2).
- (3) Section 10 was amended by the National Health Service (Primary Care) Act 1997 (c. 46), section 35(2).

Medical Practices qualifying for approval

2.—(1) In this regulation—

- (a) “General Practice (GP) Registrar” has the meaning assigned to it in regulation 2(1) of the National Health Service (General Medical Services) Regulations 1992(4); and
- (b) “training practitioner” means a practitioner falling within regulation 7(1) of the National Health Service (Vocational Training for General Medical Practice) Regulations 1997(5).

(2) The following description of medical practice is prescribed for the purposes of section 11(4) of the Medical Act 1983—

- (a) the practice includes at least one doctor who is a training practitioner;
- (b) the training practitioner (or, where there are more than one of them in the practice, the one who is to take training responsibility for the PRHO) has confirmed in writing to the university or other body concerned with the practice’s approval for the purposes of section 10 of the Medical Act 1983, that he is prepared to accept training responsibility for the PRHO;
- (c) each partner (if any) of the training practitioner has also confirmed in writing to that university or other body his willingness for the training practitioner to undertake training responsibility for a PRHO; and
- (d) the training practitioner with training responsibility for the PRHO will not at the same time have training responsibility for any other PRHO or for a General Practice (GP) Registrar.

Conditions as to residence

3.—(1) In this regulation, “practice premises” has the meaning assigned to it in regulation 2(1) of the National Health Service (General Medical Services) Regulations 1992(6).

(2) For the duration of the time that a PRHO is employed in an approved medical practice the conditions as to residence prescribed for the purposes of section 11(3)(b)(7) of the Medical Act 1983 are that he shall reside in accommodation supplied by the NHS trust hospital approved for his general clinical training pursuant to section 11 of that Act, if that accommodation is situated conveniently near to the practice premises but, if not, that he shall reside in other accommodation conveniently near to the practice premises.

Amendment of the National Health Service (General Medical Services) Regulations 1992

4.—(1) The National Health Service (General Medical Services) Regulations 1992 are amended as follows.

(2) In Schedule 2 (terms of service for doctors), in paragraph 22A(8)—

- (a) in sub-paragraph (c), at the end insert “or”; and
- (b) after sub-paragraph (c), add—

“(d) is a person engaged in employment under section 10 of the Medical Act 1983(9) in an approved medical practice.”

(3) In Schedule 12 (information to be included in practice leaflets), after paragraph 20 insert—

(4) The definition of “General Practice (GP) Registrar” was substituted for that of a “trainee general practitioner” by S.I. 1997/2468.

(5) S.I. 1997/2817, amended by S.I. 1998/669.

(6) S.I. 1992/635.

(7) Section 11(3)(b) was added by section 35(3)(b) of the National Health Service (Primary Care) Act 1997 (c. 46).

(8) Paragraph 22A was inserted by S.I. 1994/3130, regulation 12(4), and substituted by S.I. 1997/730, regulation 3(4).

(9) 1983 c. 54; section 10 was amended by the National Health Service (Primary Care) Act 1997 (c. 46), section 35(2).

“21. If a person is, or is likely to be, engaged in employment in the practice under section 10 of the Medical Act 1983, a description of the role of such a person and the arrangements for drawing this to the attention of patients.”

9th July 1998

Frank Dobson
One of Her Majesty’s Principal Secretaries of
State (Department of Health)

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the description of medical practice which may be approved for the purposes of employing a Pre-Registration House Officer (“PRHO”) pursuant to section 10 of the Medical Act 1983, and also prescribe the conditions of residence with which a PRHO must comply throughout the period of such employment.

As a consequence of the above, regulation 4 further amends the National Health Service (General Medical Services) Regulations 1992 which regulate the terms on which general medical services are provided under the National Health Service Act 1977. In particular, they amend Schedule 2 of those Regulations (doctors' terms of service) to include a PRHO in the definition of those whom a doctor may engage to act as his deputy, and Schedule 12 (information to be included in practice leaflets) in order to ensure that the role of a PRHO is explained to patients of the members of the practice.