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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations set out, for Wales, the framework for general medical services contracts under section 28Q of the National Health Service Act 1977 (“the Act”).

Part 2 of the Regulations prescribes the conditions which, in accordance with section 28S of the Act, must be met by a contractor before the Local Health Board may enter into a general medical services contract with it.

Part 3 of the Regulations prescribes the procedure for pre-contract dispute resolution, in accordance with section 28W(2) of the Act. Part 3 applies to cases where the contractor is not a health service body. In cases where the contractor is such a body, the procedure for dealing with pre-contract disputes is set out in section 4 of the National Health Service and Community Care Act 1990.

Part 4 of the Regulations sets out the procedures, in accordance with section 28W(3) of the Act, by which the contractor may obtain health service body status.

Part 5 of (and Schedules 2 to 6, and 8 to 10 to) the Regulations prescribe the terms which, in accordance with sections 28V and W of the Act, must be included in a general medical services contract (in addition to those contained in the Act). It includes, in regulation 15, a description of the services which must be provided to patients under general medical services contracts pursuant to section 28R of the Act.

The prescribed terms include terms relating to —

- (a) the type and duration of the contract (regulations 12 to 14);
- (b) the services to be provided (regulations 15, 16 and 18 to 20 and Schedule 2), the manner in which they are to be provided (Part 1 of Schedule 6) and the procedures for opting out of additional and out of hours services (regulation 17 and Schedule 3);
- (c) the issuing of medical certificates (regulation 21 and Schedule 4);
- (d) finance, fees and charges (regulations 22 to 24 and Schedule 5);
- (e) patient registration and removal, lists closures and assignments (Schedule 6, Part 2 and Schedule 8);
- (f) prescribing and dispensing (Schedule 6, Part 3);
- (g) the conditions to be met by those who perform services or are employed or engaged by the contractor (Schedule 6, Part 4);
- (h) patient records, the provision of information and rights of entry (Schedule 6, Part 5 and Schedule 10);
- (i) complaints (Schedule 6, Part 6);
- (j) procedures for dispute resolution (Schedule 6, Part 7); and
- (k) procedures for variation and termination of contracts (Schedule 6, Part 8).

Part 6 of the Regulations prescribes functions for Local Medical Committees.

Part 7 of the Regulations and Schedule 7 make transitional provisions and provision for out of hours services.