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STATUTORY INSTRUMENTS

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**1972 No. 1265**

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

**PART VI**

**GENERAL HEALTH SERVICES**

**[<sup>F1</sup> Persons performing primary medical services**

**F1** [2004 NI 2](#)

**Persons performing primary medical services**

<sup>F2</sup>**57G.**—(1) Regulations may provide that a health care professional of a prescribed description may not perform any primary medical service for which a Health and Social Services Board is responsible unless that professional is included in a list maintained under the regulations [<sup>F3</sup>by a Health and Social Services Board].

(2) For the purposes of this Article—

- (a) “health care professional” has the same meaning as in Article 15C;
- (b) a Health and Social Services Board is responsible for a primary medical service if it provides the service, or secures provision of the service, under or by virtue of Article 56.

(3) Regulations under paragraph (1) may make provision in relation to such lists and in particular as to—

- (a) the preparation, maintenance and publication of a list;
- (b) eligibility for inclusion in a list;
- (c) applications for inclusion (including provision as to the Health and Social Services Board to which an application must be made, and for the procedure for applications and the documents to be supplied on application);
- (d) the grounds on which an application for inclusion may or must be granted or refused;
- (e) requirements with which a person included in a list must comply (including the declaration of financial interests and gifts and other benefits);
- (f) suspension or removal from a list or references to the Tribunal (including the grounds for and consequences of suspension or removal, or reference);
- (g) circumstances in which a person included in a list may not withdraw from it;
- (h) payments to be made in respect of a person suspended from the list (including provision for the amount of, or the method of calculating, the payment to be determined by the Department, or a person appointed by it);
- (i) the criteria to be applied in making decisions under the regulations;

**Status:** Point in time view as at 26/03/2008.

**Changes to legislation:** Health and Personal Social Services (Northern Ireland) Order 1972, Persons performing primary medical services is up to date with all changes known to be in force on or before 20 June 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)

- (j) appeals against decisions made by a Health and Social Services Board under the regulations;
  - (k) disclosure of information about applicants for inclusion, refusals of applications, or suspensions, removals or references.
- [<sup>F4</sup>(3A) Regulations under paragraph (1) may, in particular, also provide for—
- (a) a person's inclusion or continued inclusion in a list to be subject to conditions determined by a Health and Social Services Board;
  - (b) a Board to vary the conditions or impose different ones;
  - (c) the consequences of failing to comply with a condition (including removal from a list);
  - (d) the review by a Board of decisions made by it by virtue of the regulations.
- (3B) The imposition of such conditions may be with a view to—
- (a) preventing any prejudice to the efficiency of the services to which the list relates, or
  - (b) preventing fraud.]

(4) Regulations making provision as to the matters referred to in paragraph (3)(k) may in particular authorise the disclosure of information—

    - (a) by a Health and Social Services Board to the Department; and
    - (b) by the Department to a Health and Social Services Board.

**F2** mod. by SR 2004/259

**F3** Words in art. 57G(1) substituted (26.3.2008) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2008 \(c. 2\), ss. 1\(2\), 18\(1\)\(a\)](#)

**F4** [Art. 57G\(3A\)\(3B\)](#) inserted (26.3.2008) by [Health \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2008 \(c. 2\), ss. 1\(3\), 18\(1\)\(a\)](#)

#### [<sup>F5</sup> Assistance and support

- 57H.**—(1) A Health and Social Services Board may provide assistance or support to—
- (a) any person providing, or proposing to provide primary medical services under a general medical services contract;
  - (b) any person providing, or proposing to provide, such services in accordance with Article 15B arrangements.
- (2) Assistance or support provided by a Health and Social Services Board under paragraph (1) shall be provided on such terms, including terms as to payment, as the Board thinks fit.
- (3) In this Article “assistance” includes financial assistance.]

**F5** [2004 NI 2](#)

*Art 58 rep. by 1988 NI 24*

#### Loans to general medical practitioners

**59.** The Ministry may, subject to and in accordance with the provisions of Schedule 9, make loans to practitioners providing [<sup>F6</sup> primary medical services].

**F6** [2004 NI 2](#)

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## **Prohibition of sale of, and compensation for loss of right to sell, medical practices**

**60.** Schedule 10 shall have effect with respect to the prohibition of the sale of, ...<sup>F7</sup>, the goodwill of medical practices.]

**F7** [1978 NI 26](#)

**Status:**

Point in time view as at 26/03/2008.

**Changes to legislation:**

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