

1976 No. 285

HEALTH AND PERSONAL SOCIAL SERVICES**General Medical and Pharmaceutical Services (Amendment) (No. 2)
Regulations (Northern Ireland) 1976**

Made 30th September 1976

Coming into operation 4th October 1976

The Department of Health and Social Services(a) (hereinafter referred to as "the Department") in exercise of the powers conferred on it by Articles 56 and 63 of the Health and Personal Social Services (Northern Ireland) Order 1972(b) and of all other powers enabling it in that behalf and in conjunction with the Department of Finance(a) and after consultation with such organisation as appeared to the Department to be representative of the medical profession hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the General Medical and Pharmaceutical Services (Amendment) (No. 2) Regulations (Northern Ireland) 1976, and shall come into operation on 4th October 1976.

Amendment of regulations

2. The Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973(c) as amended(d) shall be further amended as follows:

(1) for paragraph 9 of Schedule 1 there shall be substituted:

"Medical certificates

9.—(1) A doctor is required to issue to his patients or their personal representatives free of charge any certificates reasonably required by them under or for the purposes of the following enactments:

Births and Deaths Registration Act (Northern Ireland) 1967(e)

Electoral Law Act (Northern Ireland) 1962(f)

Family Allowances Act (Northern Ireland) 1966(g)

Mental Health Act (Northern Ireland) 1961(h)

Representation of the People Act 1949(i)

Social Security (Northern Ireland) Act 1975(j)

Supplementary Benefits, &c. Act (Northern Ireland) 1966(k)

Articles 7 and 15 of the Health and Personal Social Services (Northern Ireland) Order 1972;

(a) Formerly Ministry: see 1973 c. 36 s. 40 and Schedule 5 para. 8

(b) S.I. 1972 No. 1265 (N.I. 14)

(c) S.R. & O. (N.I.) 1973 No. 421 (II, p. 2528)

(d) S.R. 1975 No. 180 (II, p. 950); S.R. 1976 No. 199

(e) 1967 c. 25 (N.I.)

(f) 1962 c. 14 (N.I.)

(g) 1966 c. 8 (N.I.)

(h) 1961 c. 15 (N.I.)

(i) 12, 13 & 14 Geo. 6 c. 68

(j) 1975 c. 15 (N.I.)

(k) 1966 c. 28 (N.I.)

and any certificate which a doctor is required to issue for the purposes of the Social Security (Northern Ireland) Act 1975 shall be issued in accordance with any Regulations made or having effect under that Act;

Provided that a doctor shall not be required to issue a certificate to a patient who, for the condition to which the certificate relates—

(a) is being attended by another doctor (other than a partner, assistant or other deputy of the first-named doctor), or

(b) is not being treated by, or under the supervision of, a doctor,

so, however, that the exception in sub-paragraph (a) shall not have effect in respect of a certificate issued by a doctor for a patient pursuant to the provisions of Regulation 11(5)(c) of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1975(l) as amended by Regulation 3 of the Social Security (Medical Evidence) Regulations (Northern Ireland) 1976(m) (which provides for the issue of a certificate in the form of a special statement by a doctor on the basis of a written report made by another doctor).

(2) If in any case a disclosure to the patient of the precise cause of incapacity, would, in the doctor's opinion, be prejudicial to the patient's well-being and in any certificate issued under the Social Security (Northern Ireland) Act 1975 the doctor has not described the incapacitating disease or disablement in precise terms, he shall send to the Chief Medical Officer of the Department on the day on which the first such certificate is signed a notice in the appropriate form showing the precise cause of incapacity."

(2) for paragraph 13(2)(a) of Schedule 1 there shall be substituted:

"(2) A doctor is required—

(a) to furnish in writing to the Chief Medical Officer of the Department with reasonable promptness any information which the latter may require with regard to any prescription issued, or report furnished by him to the Department under these terms of service, or with regard to the case of any patient to whom the doctor has issued or declined to issue a certificate under or for the purposes of the Social Security (Northern Ireland) Act 1975;"

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 30th September 1976.

(L.S.)

R. J. Christie

Assistant Secretary

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 30th September 1976.

(L.S.)

J. Murray

Assistant Secretary

(l) S.R. 1975 No. 104 (l, p. 641)

(m) S.R. 1976 No. 175

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport)

These regulations further amend the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973 by providing that the statements issued by doctors under the provisions of the Social Security (Claims and Payments) Regulations (Northern Ireland) 1975 are to be free of charge.