
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 141

The General Medical Services Transitional and Consequential Provisions (No. 1) (Northern Ireland) Order 2004

PART 5

FINANCIAL ARRANGEMENTS

Effect of contractors entering into a general medical services contract

40. If a contractor who has entered into a default contract thereafter enters into a general medical services contract which takes effect immediately after his default contract ceases to have effect, the Board that is a party to the general medical services contract must ensure that the general medical services contract –

- (a) contains a condition to the effect that all rights to further payments under the default contract are surrendered (they are hereby extinguished);
- (b) takes effect, for payment purposes, on 1st April 2004;
- (c) contains a condition to the effect that any payment that has been made under the default contract that could have been made, had the contractor entered into a general medical services contract on or before 31st March 2004 –
 - (i) as a payment on account under the general medical services contract, shall be treated as a payment on account under the general medical services contract (and for these purposes any payment of one twelfth of a final global sum equivalent under the default contract shall be treated as a payment on account in respect of a payable global sum monthly payment),
 - (ii) as a payment under the general medical services contract, shall be treated as a payment under the general medical services contract,

and accordingly any condition that attaches, or is to be attached, to such a payment, when made under a general medical services contract, by virtue of the Statement of Financial Entitlements or the Premises Costs Directions, is attached to that payment; and

- (d) where appropriate, contains a condition to the effect that any payment that has been made under the default contract pursuant to Article 36(8) is set off, equitably, against any payment for equivalent services provided under the general medical services contract.