

SCHEDULE

Regulation 12

CONSEQUENTIAL AMENDMENTS

The Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993

1. The Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993⁽¹⁾ are amended as follows.

2.—(1) Regulation 2 (Interpretation) is amended as follows.

(2) In the appropriate place insert—

“Family Practitioner Services Independent Appeal Panel” means the body established under regulation 3 of the Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022⁽²⁾;

3.—(1) Regulation 5 (Application for inclusion in the dental list) is amended as follows.

(2) In paragraph (2A)⁽³⁾—

(a) for “Board” (in each place) substitute “Department”;

(b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (2B), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(4) In paragraph (2C), for “Board” substitute “Department”.

(5) In paragraph (2D), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(6) In paragraph (2E)—

(a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;

(b) for “Board” (in both places) substitute “Department”.

4.—(1) Schedule 2 (Terms of service for dentists) is amended as follows.

(2) In paragraph 2(b) (Incorporation of provisions of Regulations)—

(a) for “Regional Board” (in each place) substitute “Department”;

(b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph 35 (Deputies and assistants) –

(a) in sub-paragraph (3)—

(i) for “Board” substitute “Department”;

(ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;

(b) in sub-paragraph (4), for “Board” (in each place) substitute “Department”;

(c) in sub-paragraph (5), for “Board” (in each place) substitute “Department”;

(d) in sub-paragraphs (7) and (8), for “Board” substitute “Department”;

(e) in sub-paragraph (9), for “Board” (in both places) substitute “Department”;

(1) [S.R. 1993 No. 326](#).

(2) [S.R. 2022 No. 109](#).

(3) Paragraphs (2A) to (2E) were inserted by regulation 4 of [S.R. 2001 No. 89](#).

Status: This is the original version (as it was originally made).

- (f) in sub-paragraph (10), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004

5. The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004⁽⁴⁾ are amended as follows.

6.—(1) Regulation 2 (Interpretation) is amended as follows.

(2) In the appropriate place insert—

“Family Practitioner Services Independent Appeal Panel” means the body established under regulation 3 of the Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022⁽⁵⁾;

7.—(1) Regulation 7 (Appeal) is amended as follows.

(2) For “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”.

(3) For “Board” (in both places) substitute “Department”.

8.—(1) Regulation 9 (Pre-contract disputes) is amended as follows.

(2) In paragraphs (1) and (2), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (3)—

(a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;

(b) for “Board” substitute “Department”.

9.—(1) Schedule 2 (Opt outs of additional and out of hours services) is amended as follows.

(2) Paragraph 2 (Temporary opt outs and permanent opt outs following temporary opt outs) is amended as follows—

(a) in sub-paragraph (5)(c)—

(i) for “Board” (in both places) substitute “Department”;

(ii) for “Department” (in each place) substitute “Family Practitioner Services Independent Appeal Panel”;

(b) in sub-paragraph (5)(d)(iii)—

(i) for “Board” substitute “Department”;

(ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;

(c) in sub-paragraph (11)—

(i) for “a Board” substitute “the Department”;

(ii)]for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;

(d) in sub-paragraph (12)—

(i) for “a Board” substitute “the Department”;

(4) S.R. 2004 No. 140.

(5) S.R. 2022 No. 109.

- (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (e) in sub-paragraph (13)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board’s” substitute “Department’s”;
- (f) in sub-paragraph (14)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in both places) substitute “Department”;
 - (iii) for “Board’s” substitute “Department’s”.
- (3) Paragraph 3 (Permanent opt outs) is amended as follows—
 - (a) in sub-paragraph (7)(b)—
 - (i) for “Board” substitute “Department”;
 - (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) in sub-paragraph (8)—
 - (i) for Board” (in both places) substitute “Department”;
 - (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (c) in sub-paragraph (10)—
 - (i) for “Board” substitute “Department”;
 - (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (d) in sub-paragraph (11)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” substitute “Department”;
 - (e) in sub-paragraph (12)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in each place) substitute “Department”;
 - (f) in sub-paragraph (13)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in each place) substitute “Department”;
 - (g) in sub-paragraph (14)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” substitute “Department”;
 - (h) in sub-paragraph (15)—

Status: This is the original version (as it was originally made).

- (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” substitute “Department”;
 - (i) in sub-paragraph (17)—
 - (i) for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in each place) substitute “Department”;
 - (j) in sub-paragraph (18)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in each place) substitute “Department”;
 - (k) in sub-paragraph (19)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in both places) substitute “Department”.
- (4) Paragraph 5 (Out of hours opt outs where the opt out notice is served before 1st October 2004) is amended as follows—
- (a) in sub-paragraph (10)—
 - (i) for “Board” substitute “Department”;
 - (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) in sub-paragraph (11)—
 - (i) for “Board” (in each place) substitute “Department”;
 - (ii) for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
 - (c) in sub-paragraph (13)—
 - (i) for “Board” (in each place) substitute “Department”;
 - (ii) for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
 - (d) in sub-paragraph (14)—
 - (i) for “Board” substitute “Department”;
 - (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (e) in sub-paragraph (16)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” substitute “Department”.
- 10.—(1) Schedule 5 (Other contractual terms) is amended as follows.
- (2) Paragraph 36 (Assignments to closed lists: dispute resolution procedure relating to determinations of the assessment panel) is amended as follows—
- (a) in sub-paragraph (1)—
 - (i) for “Board” substitute “Department”;

- (ii) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) in sub-paragraphs (2) to (11), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (c) in sub-paragraph (12), for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
 - (d) in sub-paragraph (13)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in both places) substitute “Department”;
 - (e) in sub-paragraphs (14) and (15), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (f) in sub-paragraph (16)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” substitute “Department”;
 - (g) in sub-paragraph (17), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.
- (3) Paragraph 91 (Local resolution of contract disputes) is amended as follows—
- (a) in sub-paragraph (1), for “Board” substitute “Department”;
 - (b) in sub-paragraph (2)—
 - (i) for “Board” (in the first place) substitute “Department”;
 - (ii) after “invite the”, insert “relevant”;
 - (iii) omit “for the area of the Board”.
- (4) Paragraph 92 (Dispute resolution: non-HSS contracts) is amended as follows—
- (a) in sub-paragraph (1)—
 - (i) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (ii) for “Board” (in both places) substitute “Department”;
 - (b) in sub-paragraph (2), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.
- (5) Paragraph 93 (Dispute resolution procedure) is amended as follows—
- (a) in sub-paragraphs (1), (3) and (5) to (9), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) in sub-paragraph (13), for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”.
- (6) Paragraph 111 (Termination and the dispute resolution procedure) is amended as follows—
- (a) in sub-paragraph (1), for “Board” (in each place) substitute “Department”;
 - (b) in sub-paragraphs (2) to (4), for “Board” substitute “Department”;
 - (c) in sub-paragraph (5), for “Board” (in both places) substitute “Department”.

Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004

11. The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004⁽⁶⁾ are amended as follows.

12.—(1) Regulation 2 (Interpretation) is amended as follows.

(2) In the appropriate place insert –

“Family Practitioner Services Independent Appeal Panel” means the body established under regulation 3 of the Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022⁽⁷⁾.”

(3) omit the definition of “Board”.

13. In regulation 5(2) (Publication of primary medical services performers lists), omit “(a) the Department;”

14.—(1) Regulation 6C⁽⁸⁾ (Removal of emergency registered practitioners from the primary medical services performers list) is amended as follows—

(2) In paragraph (3)(c), for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (4), omit “or the Department”.

15.—(1) Regulation 8A⁽⁹⁾ (Conditional inclusion in the primary medical services performers list) is amended as follows.

(2) In paragraph (1), for “A Board” substitute “The Department”.

(3) In paragraphs (2) and (3), for “a Board” substitute “the Department”.

(4) In paragraph (4)—

(a) for “Board” substitute “Department”;

(b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(5) In paragraphs (5) and (6)—

(a) for “Board” substitute “Department”;

(b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(6) In paragraph (7), for “Board” (in both places) substitute “Department”.

(7) In paragraph (8), for “Board” substitute “Department”.

(8) In paragraph (9)—

(a) for “Board” substitute “Department”;

(b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

16.—(1) Regulation 10 ((Removal from the primary medical performers list of medical practitioners not performing primary medical services) is amended as follows.

(2) In paragraph (1), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (5), for “Board” (in both places) substitute “Department”.

⁽⁶⁾ S.R. 2004 No. 149.

⁽⁷⁾ S.R. 2022 No. 109.

⁽⁸⁾ Regulation 6C was inserted by regulation 4 of S.R. 2010 No. 376.

⁽⁹⁾ Regulation 8A was inserted by regulation 9 of S.R. 2008 No. 434.

(4) In paragraph (6)—

- (a) for “Board” (in both places) substitute “Department”;
- (b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(5) In paragraph (7) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

17.—(1) Regulation 10A(10) (Contingent removal from the primary medical services performers list) is amended as follows.

(2) In paragraphs (5) to (7) and (10), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

18.—(1) Regulation 12A(11) (suspension) is amended as follows.

(2) In paragraph (6)—

- (a) for “Board” (in both places) substitute “Department”;
- (b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

19.—(1) Regulation 12B(12) (Reviews) is amended as follows.

(2) In paragraphs (5), (7) and (8), for “Board” substitute “Department”.

20.—(1) Regulation 13 (Appeal to the Family Practitioner Services Independent Appeal Panel) is amended as follows.

(2) In the heading to the regulation, for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (1)(13), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(4) In paragraph (1A)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” substitute “Department”.

(5) In paragraph (1B)(14), for “Regional Board” substitute “Department”.

(6) In paragraph (2)—

- (a) for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” (in both places) substitute “Department”.

(7) In paragraph (4)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” substitute “Department”.

(8) Omit paragraph (5).

(9) In paragraph (6)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” substitute “Department”.

(10) Regulation 10A was inserted by regulation 11 of [S.R. 2008 No. 434](#).

(11) Regulation 12A was inserted by regulation 13 of [S.R. 2008 No. 434](#).

(12) Regulation 12B was inserted by regulation 14 of [S.R. 2008 No. 434](#).

(13) Regulation 13(1) was substituted and regulation 13 (1A) was inserted by regulation 15 of [S.R. 2008 No. 434](#).

(14) Regulation 13(1B) was inserted by regulation 5 of [S.R. 2010 No. 376](#).

Status: This is the original version (as it was originally made).

- (10) In paragraph (7), for “Board” substitute “Department”.
- (11) For paragraph (9) substitute—
 “(9) The Family Practitioner Services Independent Appeal Panel shall give its decision in writing, with reasons for that decision and send it to the appellant and the Department.”.
- (12) In paragraph (10)—
 (a) for “Department” (in both places) substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” (in both places) substitute “Department”.
- (13) In paragraph (11)—
 (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” (in both places) substitute “Department”.
- (14) In paragraph (12)(15)—
 (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Board” (in each place) substitute “Department”.
- (15) In paragraph (13), for “Board” substitute “Department”.
- 21.—(1) Regulation 14 (Disclosure of information) is amended as follows.
- (2) In paragraph (2), omit “ (a) the Department;”
- (3) In paragraph (7), for “Board” substitute “Department”.
- (4) In paragraph (8), omit “(a) the Department;”.

General Ophthalmic Services Regulations (Northern Ireland) 2007

22. The General Ophthalmic Services Regulations (Northern Ireland) 2007(16) are amended as follows.

- 23.—(1) In Regulation 2 (Interpretation) in the appropriate place, insert—
 ““Family Practitioner Services Independent Appeal Panel” means the body established under regulation 3 of the Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022(17);”
- (2) In Schedule 1 (terms of service) paragraph 2(b) (incorporation of provisions)—
 (a) for “the Regional Board”, in each place it occurs, substitute “the Department”; and
- (b) for “Department from decisions of the Board” substitute “Family Practitioner Services Independent Panel from decisions of the Department”.

Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016

24. The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016(18) are amended as follows.

- 25.—(1) Regulation 1(2) (Citation, commencement and interpretation) is amended as follows.
- (2) In the appropriate place insert –

(15) Paragraphs (12) and (13) were inserted by regulation 15 of S.R. 2008 No. 434.

(16) S.R. 2007 No. 436

(17) S.R. 2022 No. 109.

(18) S.R. 2016 No. 104.

“Family Practitioner Services Independent Appeal Panel” means the body established under regulation 3 of the Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022(19);”

26. In regulation 4 (4) (Determination of the Regional Board)—

- (a) omit “and the Department”;
- (b) for “Department” in the second place it appears substitute “Family Practitioner Services Independent Appeal Panel”.

27.—(1) Regulation 5 (Appeal to the Family Practitioner Services Independent Appeal Panel) is amended as follows.

(2) In the heading to the regulation, for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(3) In paragraph (1)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Regional Board” in both places substitute “Department”.

(4) In paragraph (2)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Regional Board” substitute “Department”.

(5) In paragraph (3)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Regional Board” in both places substitute “Department”.

(6) In paragraph (4)—

- (a) for “Regional Board” substitute “Department”;
- (b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(7) In paragraph (5), for “Department” in both places substitute “Family Practitioner Services Independent Appeal Panel”.

(8) Omit paragraph (6).

28.—(1) Regulation 6 (Procedure on appeal) is amended as follows.

(2) In paragraph (1)—

- (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (b) for “Regional Board” in both places substitute “Department”.

(3) In paragraph (2), for “Department” substitute “Family Practitioner Services Independent Appeal Panel”.

(4) Omit paragraphs (3) to (8).

(5) In paragraph (9)—

- (a) for “Regional Board” substitute “Department”;
- (b) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
- (c) for “panel” substitute “Family Practitioner Services Independent Appeal Panel”.

(6) In paragraph (10)—

- (a) for “panel” substitute “Family Practitioner Services Independent Appeal Panel”;

Status: This is the original version (as it was originally made).

- (b) for “Regional Board” substitute “Department”.
- (7) In paragraph (11)—
 - (a) for “panel” in each place substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) for “Regional Board” in both places substitute “Department”.
- (8) In paragraph (12)—
 - (a) for “Regional Board” in both places substitute “Department”;
 - (b) for “panel” in each place substitute “Family Practitioner Services Independent Appeal Panel”.
- (9) In paragraph (13)—
 - (a) for “panel” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) for “Regional Board” substitute “Department”.
- (10) Omit paragraph (14).

29.—(1) Regulation 7 (Recovery of amounts from practitioners following appeal) is amended as follows.

- (2) In paragraph (1), for “Department” in both places substitute “Family Practitioner Services Independent Appeal Panel”.
- (3) In paragraph (2)—
 - (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) for “Regional Board” substitute “Department”.
- (4) In paragraph (3)—
 - (a) for “Department” substitute “Family Practitioner Services Independent Appeal Panel”;
 - (b) for “Regional Board” substitute “Department”.
- (5) In paragraph (4), for “Regional Board” substitute “Department”.
- (6) In paragraph (5), for “Regional Board” in both places substitute “Department”.

30.—(1) Regulation 8 (Prior approval in dental cases) is amended as follows.

- (2) In paragraph (3), omit “and the Regional Board”.
- (3) Omit paragraph (6).
- (4) In paragraph (7)—
 - (a) for sub-paragraph (a), substitute—
 - “(a) terminating the prior approval requirement on a specified date falling before the end of the period specified under paragraph (2)(b); or”;
 - (b) omit “, the Regional Board”.
- (5) Omit paragraph (10).