



# National Health Service Act 1977

## 1977 CHAPTER 49

### PART II

#### GENERAL MEDICAL, GENERAL DENTAL, GENERAL OPHTHALMIC, AND PHARMACEUTICAL SERVICES

##### *Provisions as to disqualification of practitioners*

#### [<sup>F1</sup>49A Applications for interim suspension.

- (1) A Health Authority who have made representations under section 46 above may, at any time before the case is disposed of by the Tribunal, apply to the Tribunal for a direction to be made under subsection (2) below in relation to the person to whom the case relates.
- (2) If, on an application under this section, the Tribunal are satisfied that it is necessary to do so in order to protect patients, they shall direct that subsection (3) below shall apply to the person concerned as respects services of the kind to which the case in question relates.
- (3) A person to whom this subsection applies shall—
  - (a) be deemed to have been removed from any relevant list in which his name is included,
  - (b) be disqualified for inclusion in any relevant list in which his name is not included, and
  - (c) be deemed to be a person in relation to whom there is in force a declaration under section 46(2)(c) above concerning his fitness to be engaged in the provision of services of the relevant kind.
- (4) A direction under subsection (2) above shall cease to have effect on the Tribunal's disposing of the case in connection with which it is made.

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*Status: Point in time view as at 21/12/1995. This version of this provision has been superseded.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to National Health Service Act 1977. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

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- (5) In subsection (2) above, the reference to patients is to persons to whom services of the kind to which the case in question relates are, or may be, provided under this Part of this Act.
- (6) In the application of subsection (3) above to any person—
- (a) “relevant list” means a list prepared under this Part of this Act of persons undertaking to provide services of the kind to which the direction applying the subsection to him relates, and
  - (b) “services of the relevant kind” means services of the kind to which that direction relates.]

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#### **Textual Amendments**

- F1** Ss. 49A-49E inserted (E.W.) (21.12.1995 for specified purposes and otherwise 1.4.1996) by 1995 c. 31, s. 2(1) (with s. 14(5)); S.I. 1995/3090, art. 2, Sch. (subject to art. 3); S.I. 1996/552, art. 2

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