

1976 No. 1407

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

**The National Health Service (General Medical and
Pharmaceutical Services) Amendment (No. 2)
Regulations 1976**

<i>Made - - - -</i>	<i>31st August 1976</i>
<i>Laid before Parliament</i>	<i>10th September 1976</i>
<i>Coming into Operation</i>	<i>4th October 1976</i>

The Secretary of State for Social Services in exercise of powers conferred by section 33(2)(d) of the National Health Service Act 1946^(a) (as amended by section 57(1) of and paragraph 19 of Schedule 4 to the National Health Service Reorganisation Act 1973^(b)) and now vested in him^(c) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and Commencement

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

Amendment of regulations

2. The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974^(d) as amended^(e) shall be further amended as follows:—

- (1) For paragraph 31 of Schedule 1 there shall be substituted the following paragraph—

“Certification

31.—(1) A doctor shall issue for his patients free of charge the certificates prescribed in Schedule 3 to these regulations, being medical certificates reasonably required by them under or for the purposes of the enactments therein specified, except when, for the condition to which the certificate relates, the patient—

(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

^(a) 1946 c. 81.

^(b) 1973 c. 32.

^(c) See Secretary of State for Social Services Order 1968 (S.I. 1968/1699 (1968 III, p. 4585)) Article 2.

^(d) S.I. 1974/160 (1974 I, p. 490).

^(e) The amendments do not relate expressly to the subject matter of these Regulations.

Security (Claims and Payments) Regulations 1975(a) as amended by regulation 3 of the Social Security (Medical Evidence) Regulations 1976(b) (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) Any certificate given under paragraph (1) for the purposes of the Social Security Act 1975(c) shall be issued in accordance with any regulations made or having effect under that Act.”;

(2) in Schedule 3 for the words from “National Insurance (Industrial Injuries) Acts 1965 to 1973” to the words “National Insurance Acts 1965 to 1973” there shall be substituted the words “Social Security Act 1975”.

Signed by authority of
the Secretary of State
for Social Services
31st August 1976.

Eric Deakins,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974 by making provision that the statements issued by a doctor under the provisions of the Social Security (Claims and Payments) Regulations 1975 are also to be free of charge.

(a) S.I. 1975/560 (1975 I, p. 2014).
(c) 1975 c. 14.

(b) S.I. 1976/615 (1976 I, p. 1747).

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