
STATUTORY INSTRUMENTS

1998 No. 660

**The National Health Service (General Medical Services)
(Scotland) Amendment (No.2) Regulations 1998**

PART III

OTHER AMENDMENTS

Further amendment of regulation 2 of the 1995 Regulations

7. In regulation 2(1) of the 1995 Regulations (interpretation), for the definition of “medical officer” substitute the definition—

““medical officer” means a doctor who is—

- (a) employed or engaged by the Department of Social Security; or
- (b) provided by an organisation in pursuance of a contract entered into with the Secretary of State for Social Security;”.

Further amendment of Schedule 1 to the 1995 Regulations

8. In Schedule 1 to the 1995 Regulations (terms of service for doctors)—

- (a) in paragraph 19 (organisations providing deputy doctors), in sub-paragraph (7), for “in response to a request for evidence” substitute “as a result of evidence provided”;
- (b) for paragraph 34 (reports to medical officers) substitute—

“34.—(1) A doctor shall, if he is satisfied that the patient consents—

- (a) supply in writing to a medical officer, within such reasonable period as that officer, or an officer of the Department of Social Security on his behalf and at his direction, may specify, such clinical information as the medical officer considers relevant about a patient to whom the doctor under these terms of service has issued or has refused to issue a medical certificate; and
- (b) answer any inquiries by a medical officer, or by an officer of the Department of Social Security on his behalf and at his direction, about a prescription form or medical certificate issued by the doctor under these terms of service, or about any statement which the doctor has made in a report under these terms of service.

(2) For the purpose of satisfying himself that the patient has consented as required by sub-paragraph (1), the doctor may (unless he has reason to believe the patient does not consent) rely on an assurance in writing from the medical officer, or any officer of the Department of Social Security, that he holds the patient’s written consent.”.