
STATUTORY INSTRUMENTS

1999 No. 365

The National Health Service (Fund-Holding Practices) (Scotland) Amendment Regulations 1999

PART II

AMENDMENTS TO TAKE EFFECT ON 10TH MARCH 1999

Amendment of regulation 1 of the principal Regulations

2. In regulation 1 of the principal Regulations (citation, commencement and interpretation) in paragraph (2) after the definition of “relevant Health Board” there is inserted the following definition:—

““residual fund-holding practice” means a fund-holding practice recognised as from 1st April 1999.”.

Amendment of regulation 2 of the principal Regulations

3. In regulation 2 of the principal Regulations (application for recognition as a fund-holding practice), paragraph (4) is omitted.

Amendment of regulation 12 of the principal Regulations

4. In regulation 12 of the principal Regulations (grounds for removal of recognition), in paragraph (1)—

- (a) after “the next 1st April” insert “or, if 1st April has passed, for the current financial year (beginning on 1st April immediately past),”; and
- (b) for “that 1st April” substitute “midnight on 31st March immediately preceding that 1st April, or, if that date has passed, forthwith”.

Amendment of regulation 13 of the principal Regulations

5.—(1) Regulation 13 of the principal Regulations (procedure for removal of recognition) is amended as follows.

(2) In paragraph (1)—

- (a) in sub-paragraph (a)(ii), for “three months” substitute “three weeks”; and
- (b) in sub-paragraph (b), omit “either orally or”.

(3) In paragraph (2), for “two months” substitute “two weeks”.

(4) Omit paragraph (3).

Amendment of regulation 22 of the principal Regulations

6.—(1) Regulation 22 of the principal Regulations (savings from the allotted sum) is amended as follows.

(2) In paragraph (1)—

- (a) for “regulations 17 and 18” substitute “regulation 18”;
- (b) omit “17”.

(3) For paragraph (2) substitute—

“(2) Subject to paragraph (3), where the accounts for a financial year of members of a fund-holding practice have been audited in accordance with section 86(1A) of the Act, the members of a fund-holding practice may, within the period of two years after the end of that financial year, with the consent of the Health Board apply any part of the allotted sum paid to them in respect of that financial year for the purposes specified in regulations 18 and 19 or any one or more of the following purposes—

- (a) the purchase of material or equipment which—
 - (i) can be used for the treatment of patients; or
 - (ii) enhances the comfort or convenience of patients; or
- (b) the purchase of material or equipment relating to health education; or
- (c) in relation to any premises from which general medical services are provided—
 - (i) improvements to the premises, including alterations to or decoration of the premises and the purchase of furniture and furnishings; or
 - (ii) building an extension provided that no acquisition of land is involved; provided that the improvements or extensions as the case may be are in accordance with the premises strategy of the relevant Health Board; or
- (d) the purchase of goods and services as part of an initiative to improve prescribing practices; or
- (e) training for members or employees of the practice which in the case of members is required in connection with their membership of the practice, or in the case of employees is required in connection with duties arising in the course of their employment; or
- (f) the cost of employing temporary staff.”.

(4) In paragraph (3) omit “(a) to (e)”.

Revocations

7. Regulation 9 of the principal Regulations is hereby revoked.