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STATUTORY INSTRUMENTS

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**1999 No. 365**

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

**PART IV**

**TRANSITION TO RESIDUAL FUND-HOLDING SCHEME**

**Removal of recognition**

**27.**—(1) Subject to paragraph (4) where the notice referred to in regulation 26 has not been received on or before 11th March 1999 from the members of any fund-holding practice, recognition shall be removed from them with effect from midnight on 31st March 1999.

(2) Where recognition is to be removed in circumstances specified in this regulation the relevant Health Board shall—

- (a) send to each member of the practice notice of removal of recognition;
- (b) include in the notice a statement of the reason for removal of recognition and that the removal takes effect from midnight on 31st March 1999;
- (c) inform the members of the practice that they may, subject to paragraphs (3) and (4), make representations in writing to the Secretary of State concerning the matter; and
- (d) inform each member of the practice of the consequences of removal of recognition.

(3) Where the members of the practice wish to make representations in writing against the removal of recognition, the representations may be sent to the Secretary of State within the period of three weeks beginning with the date on which the notice referred to in paragraph (2) was sent.

(4) Where the Secretary of State decides, having taken into account the representations of the members of the fund-holding practice, not to remove recognition he shall—

- (a) write to each member of the fund-holding practice withdrawing the notice referred to in paragraph (2); and
- (b) inform them of a new date by which the notice referred to in regulation 26, must be received by the relevant Health Board.

(5) Where the Secretary of State informs the members of a fund-holding practice that their notice or application must be received by a new date in accordance with paragraph (4)(b), and the notice or application is not received by that new date the relevant Health Board shall remove recognition from them forthwith and paragraph 2(a), (b) and (d) shall apply, save that paragraph (b) shall apply as if “forthwith” were substituted for “from midnight on 31st March 1999”.