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STATUTORY INSTRUMENTS

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**2015 No. 1862**

**The National Health Service (General  
Medical Services Contracts) Regulations 2015**

**PART 2**

Contractors: conditions and eligibility

**Conditions relating solely to medical practitioners**

- 5.—(1) Where [<sup>F1</sup>NHS England] enters, or is proposing to enter, into a contract with—
- (a) a medical practitioner, that medical practitioner must be a general medical practitioner;
  - (b) two or more persons practising in partnership—
    - (i) at least one partner (who must not be a limited partner) must be a general medical practitioner, and
    - (ii) any other partner who is a medical practitioner must be—
      - (aa) a general medical practitioner, or
      - (bb) employed by a Local Health Board, (in England and Wales and Scotland) an NHS trust, an NHS foundation trust, (in Scotland) a Health Board, or (in Northern Ireland) a Health and Social Services Trust; or
  - (c) a company limited by shares—
    - (i) at least one share in the company must be both legally and beneficially owned by a general medical practitioner, and
    - (ii) any other share or shares in the company that are both legally and beneficially owned by a medical practitioner must be so owned by—
      - (aa) a general medical practitioner, or
      - (bb) a medical practitioner who is employed by a Local Health Board, (in England and Wales and Scotland) an NHS Trust, an NHS foundation trust, (in Scotland) a Health Board, or (in Northern Ireland) a Health and Social Services Trust.
- (2) In paragraph (1)(a), (b)(i) and (c)(i) “general medical practitioner” does not include a medical practitioner whose name is included in the General Practitioner Register by virtue of being a medical practitioner to whom paragraph (3), (4) or (5) applies.
- (3) This paragraph applies to a medical practitioner referred to in article 4(3) of the 2010 Order (general practitioners eligible for entry in the General Practitioner Register) who was exempt from the requirement to have the prescribed experience under—
- (a) regulation 5(1)(d) of the National Health Service (Vocational Training for General Medical Practice) Regulations 1997 <sup>M1</sup>;
  - (b) regulation 5(1)(d) of the National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998 <sup>M2</sup>; or

*Status: Point in time view as at 06/11/2023.*

*Changes to legislation: The National Health Service (General Medical Services Contracts) Regulations 2015, Section 5 is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (c) regulation 5(1)(d) of the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998 <sup>M3</sup>.
- (4) This paragraph applies to a medical practitioner who has an acquired right for the purposes of article 6(2) of the 2010 Order (persons with acquired rights) by virtue of—
- (a) having been a restricted services principal; and
  - (b) that medical practitioner's name being included, as at 31st December 1994, in—
    - (i) a medical list which was, at that date, kept by a Family Health Services Authority <sup>M4</sup>, or
    - (ii) any corresponding list which was, at that date, kept by a Health Board or by the Northern Ireland Central Services Agency for the Health and Social Services in Northern Ireland.
- (5) This paragraph applies to a medical practitioner who has an acquired right for the purposes of article 6(6) of the 2010 Order (which relates to persons engaged or provided as a deputy or employed as an assistant) because, on at least ten days in the period of four years ending with 31st December 1994, or on at least 40 days in the period of ten years ending with that date, that medical practitioner was—
- (a) engaged as a deputy by, or provided as a deputy to, a medical practitioner whose name was included in—
    - (i) the medical list which was, at that date, kept by a Family Health Services Authority, or
    - (ii) any corresponding list kept, at that date, by a Health Board or by the Northern Ireland Central Services Agency for the Health and Social Services in Northern Ireland; or
  - (b) employed as an assistant (other than as a trainee general practitioner) by such a medical practitioner.
- (6) In paragraph (4)(a), “restricted services principal” means a medical practitioner who provided general medical services limited to child health surveillance, contraceptive services, maternity medical services [<sup>F2</sup>(except the services mentioned in regulation 3(4)(c) or (d))] or minor surgery.

#### Textual Amendments

- F1** Words in Regulations substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), reg. 1(1), **Sch. para. 1**
- F2** Words in reg. 5(6) inserted (1.4.2021) by [The National Health Service \(General Medical Services Contracts and Personal Medical Services Agreements\) \(Amendment\) Regulations 2021 \(S.I. 2021/331\)](#), reg. 1(2), **Sch. 1 para. 3**

#### Marginal Citations

- M1** [S.I. 1997/2817](#); as amended by [S.I. 1998/669](#) and revoked by [S.I. 2003/1250](#).
- M2** [S.I. 1998/669](#) (S.2); as amended by [S.I.1998/669](#) and [S.S. I 2000/23](#) and revoked by [S.I. 2003/1250](#).
- M3** [S.R. 1998/13](#); as revoked by [S.I. 2003/1250](#).
- M4** Family Health Services Authorities no longer exist. They were merged with Health Authorities in 1994. Health Authorities have now been abolished.

**Status:**

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**Changes to legislation:**

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