



Department  
of Health

From the Rt Hon the Earl Howe P.C.  
Parliamentary Under Secretary of State for Quality (Lords)

George Mudie MP  
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*Dear Mr. Mudie,*

JCSI have raised concerns, in the past, about two sets of regulations which fall within the remit of the Department of Health. These are the NHS (General Medical Services Contracts) Regulations 2004 and the NHS (Personal Medical Services Agreements) Regulations 2004 (SI 2004/291 and SI 2004/691 respectively). These regulations set out the contractual terms for those providing NHS primary medical services.

The regulations have been amended at least once a year since coming into force as a result of annual contract negotiations and changes in DH policy. JCSI's concern was that the number of amendments made to these regulations made it difficult to understand exactly what was contractually required of providers of NHS primary medical services.

We fully accepted JCSI's point and, in 2012, the Department of Health gave a commitment to prepare consolidated regulations which would come into force by 1 April 2015. This commitment was reinforced in subsequent Explanatory Memoranda for regulations amending the above legislation.

DH officials, and legal services, have made significant progress on consolidation of the regulations. However, due to the truncated Parliamentary timetable for the early part of 2015, and the need to provide stakeholders with sufficient time to consider draft regulations, I regret that it will not be possible to lay consolidated regulations in time to come into force on 1 April 2015.

Each year, NHS England (and, prior to 2013, the Department of Health) has produced consolidated GMS and PMS model contract templates for use by the contracting parties. In addition, in 2014 NHS Employers, on behalf of NHS England, produced dedicated GP contract implementation guidance to support area teams and GP practices with implementation of the new contractual requirements

NHS England is planning to produce this supporting documentation again this year so we are confident that the contracting parties are able to understand the changes to these regulations whilst we are preparing the consolidated regulations.

DH officials assure me that, subject to the Parliamentary timetable, consolidated regulations will be cleared for signature in time to come into force as soon as possible after the General Election.

*Yours sincerely,*



**EARL HOWE**