
WELSH STATUTORY INSTRUMENTS

2003 No. 784 (W.95)

NATIONAL HEALTH SERVICE, WALES

**The National Health Service (General Medical Services)
(Amendment) (No. 2) (Wales) Regulations 2003**

Made - - - - *18th March 2003*

Coming into force - - *1st April 2003*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 29 and 126(4) of the National Health Service Act 1977(1) hereby makes the following Regulations:

Citation, commencement, application and effect

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services) (Amendment) (No 2) (Wales) Regulations 2003 and shall come into force on 1st April 2003.

(2) These Regulations apply to Wales only.

(3) The National Health Service (General Medical Services) Regulations 1992(2) shall be amended in accordance with the following provisions of these Regulations.

Amendment of Paragraph 47A of Schedule 2

2. Paragraph 47A of Schedule 2 (Complaints) shall be amended in accordance with the following paragraphs—

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- (1) [1977 c. 49](#); see section 128(1) as amended by the National Health Service and Community Care Act [1990 \(c. 19\)](#) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 29 was amended by [S.I. 1985/39](#), article 7(3); the Health Authorities Act [1995 \(c. 17\)](#), section 2(1), Schedule 1, paragraph 18; the National Health Service Reform and Health Care Professions Act [2002 \(c. 17\)](#) (“the 2002 Act”), sections 2(5) and 37(1), Schedule 2, Part 1, paragraphs 1, 3(1)(2) and 3(a)(b), Schedule 8, paragraphs 1 and 2; the National Health Service (Primary Care) Act [1997 \(c. 46\)](#), section 41(10), (12), Schedule 2, paragraph 8 and Schedule 3, Part 1; the Health and Social Services and Social Security Adjudications Act [1983 \(c. 41\)](#), section 14, Schedule 6, paragraphs 2(1) and (2); the Health Services Act [1980 \(c. 53\)](#) section 7; the Health and Social Care Act [2001 \(c. 15\)](#) (“the 2001 Act”), section 23(1) and (2); the Medical Act [1983 \(c. 54\)](#) section 56(1), Schedule 5, paragraph 16(a), and the Medical (Professional Performance) Act [1995 \(c. 51\)](#) section 4, Schedule 1, paragraph 28(b). Section 126(4) was amended by the 1990 Act, section 65(2); by the Health Act [1999 \(c. 8\)](#), section 65(1), Schedule 4, paragraphs 4, 37(1) and (6); the 2001 Act, section 67(1), Schedule 5, Part 1, paragraphs 5(1) and (13)(b) and by the 2002 Act, section 6(3)(c). As regards Wales, the functions of the Secretary of State under sections 29 and 126(4) of the National Health Service Act 1977 are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, [S.I. 1999/672](#).
- (2) [S.I. 1992/635](#), the relevant amending instrument is [S.I. 1996/702](#) which inserts paragraphs 47A and B into Schedule 2.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in paragraph (6)(b)(ii) for the word “three”, substitute the word “two”; and
- (b) in paragraph (6)(c) for the figure “10”, substitute the figure “20”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽³⁾

18th March 2003

D. Elis-Thomas
The Presiding Officer of the National Assembly
for Wales.

(3) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations further amend the National Health Service (General Medical Services) Regulations 1992 which regulate the terms on which general medical services are provided under the National Health Service Act 1977.

Regulation 2 contains provisions amending the length of time doctors have to respond to complaints made by or on behalf of patients or former patients under their practice based complaints procedure. The time permitted to doctors to formally acknowledge complaints orally or in writing is reduced from three to two days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays), whereas the time permitted to provide a complainant with a written summary of investigations and conclusions is increased from 10 to 20 working days (excluding Saturdays, Sundays, Christmas Day, Good Friday and bank holidays) .