
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out, for Wales, the framework for general medical services contracts under section 28Q of the National Health Service Act 1977 (“the Act”).

Part 2 of the Regulations prescribes the conditions which, in accordance with section 28S of the Act, must be met by a contractor before the Local Health Board may enter into a general medical services contract with it.

Part 3 of the Regulations prescribes the procedure for pre-contract dispute resolution, in accordance with section 28W(2) of the Act. Part 3 applies to cases where the contractor is not a health service body. In cases where the contractor is such a body, the procedure for dealing with pre-contract disputes is set out in section 4 of the National Health Service and Community Care Act 1990.

Part 4 of the Regulations sets out the procedures, in accordance with section 28W(3) of the Act, by which the contractor may obtain health service body status.

Part 5 of (and Schedules 2 to 6, and 8 to 10 to) the Regulations prescribe the terms which, in accordance with sections 28V and W of the Act, must be included in a general medical services contract (in addition to those contained in the Act). It includes, in regulation 15, a description of the services which must be provided to patients under general medical services contracts pursuant to section 28R of the Act.

The prescribed terms include terms relating to —

- (a) the type and duration of the contract (regulations 12 to 14);
- (b) the services to be provided (regulations 15, 16 and 18 to 20 and Schedule 2), the manner in which they are to be provided (Part 1 of Schedule 6) and the procedures for opting out of additional and out of hours services (regulation 17 and Schedule 3);
- (c) the issuing of medical certificates (regulation 21 and Schedule 4);
- (d) finance, fees and charges (regulations 22 to 24 and Schedule 5);
- (e) patient registration and removal, lists closures and assignments (Schedule 6, Part 2 and Schedule 8);
- (f) prescribing and dispensing (Schedule 6, Part 3);
- (g) the conditions to be met by those who perform services or are employed or engaged by the contractor (Schedule 6, Part 4);
- (h) patient records, the provision of information and rights of entry (Schedule 6, Part 5 and Schedule 10);
- (i) complaints (Schedule 6, Part 6);
- (j) procedures for dispute resolution (Schedule 6, Part 7); and
- (k) procedures for variation and termination of contracts (Schedule 6, Part 8).

Part 6 of the Regulations prescribes functions for Local Medical Committees.

Part 7 of the Regulations and Schedule 7 make transitional provisions and provision for out of hours services.