

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (General Medical Services Contracts) (Wales) Regulations 2023. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 3

Other contractual terms

PART 6

Persons who perform services

Conditions for employment and engagement: medical practitioner

65.—(1) Subject to sub-paragraphs (2) to (4), a contractor must not employ or engage a medical practitioner (other than an exempt medical practitioner within the meaning of sub-paragraph 61(3)) unless—

- (a) that practitioner has provided the contractor with the name and address of the Local Health Board on whose medical performers list the practitioner appears, and
- (b) the contractor has checked that the practitioner meets the requirements in paragraph 61.

(2) Where—

- (a) the employment or engagement of a medical practitioner is urgently needed, and
- (b) it is not possible for the contractor to check that the medical practitioner meets the requirements referred to in paragraph 61 before employing or engaging the health care professional,

the contractor may employ or engage the medical practitioner on a temporary basis for a single period of up to 7 days while such checks are undertaken.

(3) Where the prospective employee is a GP Specialty Registrar, the requirements set out in sub-paragraph (1) apply with the modifications that—

- (a) the name and address provided under sub-paragraph (1) may be the name and address of the Local Health Board on whose list the GP Specialty Registrar has applied for inclusion, and
- (b) confirmation that the GP Specialty Registrar's name appears on that list is not to be required until the end of the first 12 weeks of the GP Specialty Registrar's training period.

(4) Where the prospective employee is a medical practitioner who is already included in the medical performers list of another primary care organisation and who has submitted an application to the Local Health Board in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004, the requirements set out in sub-paragraph (1) apply with the modifications that—

- (a) the name and address provided under sub-paragraph (1) may be the name and address of the Local Health Board on whose list the medical practitioner has applied for inclusion, provided that the name and address of the primary care organisation on whose list the medical practitioner is already included is provided in addition; and
- (b) confirmation that the medical practitioner's name appears on that list means confirmation that the medical practitioner is provisionally included in the Local Health Board's medical performers list in accordance with regulation 4A of the National Health Service (Performers Lists) (Wales) Regulations 2004.

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(5) In this paragraph “primary care organisation” has the meaning given in regulation 2 of the National Health Service (Performers Lists) (Wales) Regulations 2004.

Commencement Information

I1 Sch. 3 para. 65 in force at 1.10.2023, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Sch. 3 para. 65 coming into force by [S.I. 2023/953 reg. 1\(2\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 16(3) inserted by [S.I. 2023/1421 reg. 18\(b\)](#)
- Sch. 5 para. 2(2)(a)(iv)(aa) omitted by [S.I. 2023/1421 reg. 20\(d\)](#)
- Sch. 5 para. 2(2)(a)(i)(aa) word substituted by [S.I. 2023/1421 reg. 20\(c\)](#)