Plasters:
adhesive, spread or on spool
elastic adhesive
medicated, as specified in the Drug Tariff.

Protectives:
battiste
gutta percha tissue
jaconet
oiled cambric
oiled silk, including oiled artificial silk

Rubber tubing

Splints: including Gooch and Kramer splinting and poroplastic but excluding walking caliper splints, surgical boots, foot supports worn with boots and shoes, elbow and knee cage splints and Howard Marsh knee splints.

Sputum flasks

Suprapubic belts and parts thereof and repairs and replacements thereto

Syringes:
glass
rubber

Tampons

Test tubes

Tows:
carbolised
unmedicated

Trusses:
femoral
inguinal
scrotal
umbilical

Vaccination shields and pads

Vaporisers, as specified in the Drug Tariff.

Given under the official seal of the Minister of Health this twenty-eighth day of March nineteen hundred and forty-nine.

(L.S.) *Aneurin Bevan,*
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations amend The National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948, by making in respect of the financial year ending the 31st March, 1949 special provisions for the remuneration of doctors, by providing for the choice of a doctor or chemist on behalf of persons detained in an Approved School, and by making sundry minor amendments to those Regulations.

The National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations, 1949

1949 No. 2341

Made - - - - - - - - -	16*th December*, 1949
Laid before Parliament - - - -	16*th December*, 1949
Coming into Operation—	
Regulations 1, 2, 3 (1), (9) *and* (17) *and the Second Schedule* - - - - -	16*th December*, 1949
The remainder other than Regulation 3 (16)	1*st February*, 1950
Regulation 3 (16) - - - - - -	1*st March*, 1950

M.H. 109820.

The Minister of Health in exercise of the powers conferred on him by sections 33, 34, 38 and 74 of the National Health Service Act, 1946(a), and section 15

(a) 9 & 10 Geo. 6. c. 81.

of, and the schedule to, the National Health Service (Amendment) Act, 1949(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the National Health Service (General Medical and Pharmaceutical Services) Amendment (No. 2) Regulations, 1949, and shall come into operation as regards regulations 1, 2, 3 (1), (9) and (17) and the Second Schedule on the 16th day of December, 1949, as regards the remainder other than regulation 3 (16) on the 1st day of February, 1950, and as regards regulation 3 (16) on the 1st day of March, 1950.

(2) The National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948(b) (hereinafter referred to as "the principal regulations"), the National Health Service (General Medical and Pharmaceutical Services) Amendment Regulations, 1948(c), the National Health Service (General Medical and Pharmaceutical Services) Amendment Regulations, 1949(d), and these regulations may be cited together as the National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948 and 1949.

2.—(1) Expressions used in these regulations shall, except so far as the context otherwise requires, have the same meanings as in the principal regulations.

(2) The Interpretation Act, 1889(e), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The principal regulations shall be amended as follows:—

(1) In paragraph (1) of regulation 2 (which defines certain expressions used in the regulation)—

(*a*) there shall be added after the definition of the expression "medical officer" the following definition:—

> "'practice declared vacant' means a practice rendered vacant by the death or the removal or withdrawal of a practitioner from the medical list where the Council or a duly authorised committee of the Council have resolved that an additional practitioner is required in the district to fill the vacancy, and the provisions in these regulations relating to the filling of a practice declared vacant shall also apply where the Council have resolved that an additional practitioner is required in a district otherwise than in succession to another practitioner;" and

(*b*) in the definition of the expression "treatment" there shall be substituted for the words "medical certificates" the words "certificates referred to in the fifth schedule being medical certificates reasonably required".

(2) Sub-paragraph (*d*) of paragraph (3) of regulation 4 (which makes provision with respect to assistants in the medical list) shall be deleted.

(3) The following regulation shall be substituted for regulation 5 (which provides for applications for inclusion in a medical list):—

"*Applications for inclusion in the medical list or to succeed to a vacancy.*

5.—(1) (*a*) Application by a practitioner for inclusion in a medical list otherwise than in succession to a practice declared vacant shall

(a) 12, 13 & 14 Geo. 6. c. 93. (b) S.I. 1948 (No. 506) I, p. 2140.
(c) S.I. 1948 (No. 1448) I, p. 2168. (d) S.I. 1949 No. 577, p. 2609 above.
(e) 52 & 53 Vict. c. 63.

be made by delivering or sending the application by post to the Council in the form set out in Part III of the first schedule to these regulations or in a form to the like effect.

(*b*) Application by a practitioner to succeed to a practice declared vacant shall be made in the manner aforesaid in the form set out in Part IV of the said schedule or in a form to the like effect.

(2) On receipt of an application under this regulation, except an application from a practitioner entitled to inclusion by virtue of section 3 of the National Health Service (Amendment) Act, 1949, the Council shall transmit the application to the Medical Practices Committee together with a report on a form approved by the Committee."

(4) In paragraph (1) of regulation 9 (which provides for the procedure of the Medical Practices Committee) there shall be inserted after the word "adequate" the words "or an application by a practitioner to succeed to a practice declared vacant".

(5) In paragraph (1) of regulation 10 (which provides for appeals to the Minister against the decisions of the Medical Practices Committee) there shall be inserted after the word "conditions" the words "or against the refusal of an application to succeed to a practice declared vacant".

(6) In paragraph (3) of regulation 13 (which provides for allocation schemes) there shall be substituted for the words "be increased" the words "and, if the Minister so directs, shall be increased".

(7) The following paragraphs shall be substituted for paragraph (2) of regulation 14 (which provides for the change of practitioners):—

"(2) Subject as hereinafter provided, the Council shall, on the death or on the removal or withdrawal from the medical list of a practitioner, give to the persons on the list of such practitioner notice of their right to apply to another practitioner on the list for acceptance.

(3) (*a*) Where a successor is appointed to a practice declared vacant, the Council shall notify the persons on the list of the practitioner to whom the practice last belonged of the name and address of the successor and, if the successor is practising in partnership, the names and addresses of each of the partners, provided that in respect of any such persons residing in a particular part of the district the Committee, or if the Minister has allowed an appeal against the Committee's decision the Minister, may, if they or he think fit, deem another practitioner to be the successor, and the Council shall notify such persons accordingly.

(*b*) Where, on the death or removal or withdrawal from the medical list of a practitioner, the practice is not declared vacant and the Council and the local medical committee are of opinion that one or more practitioners on the list should be regarded as succeeding in whole or in part to the practice of the first-mentioned practitioner, the Council shall notify the persons on the list of that practitioner of the name and address of the successor and, if the successor is practising in partnership, the names and addresses of each of the partners.

(4) Any notice given under the last preceding paragraph shall state that the successor is willing to accept the person on whom it is served and that person shall be deemed to be included in the

list of that practitioner as from the date given in the notice unless and until he has chosen another practitioner or given notice in writing to the Council of his desire not to be so included."

(8) In sub-paragraph (6) of paragraph 7 of Part I of the first schedule (which requires a practitioner to visit patients) there shall be inserted after the word "list" the words "or of his application to succeed to a practice declared vacant."

(9) For sub-paragraph (7) of paragraph 7 of Part I of the first schedule there shall be substituted the following sub-paragraph:—

"(7) A practitioner is required to issue to his patients or their personal representatives free of charge the certificates referred to in the fifth schedule to these regulations being medical certificates reasonably required by them under or for the purposes of the enactments therein specified, and any certificate which a practitioner is required to issue for the purposes of the National Insurance Acts, 1946(a), shall be issued in accordance with any regulations made under those Acts; provided that a practitioner shall not be required to issue a certificate where the patient is receiving medical treatment otherwise than from, or under the supervision of, a medical practitioner."

(10) In sub-paragraph (10) of paragraph 7 of Part I of the first schedule (which requires a practitioner to order drugs and prescribed appliances for his patients) there shall be inserted before the words "a separate form" the words "subject to the provisions of the next following sub-paragraph."

(11) After sub-paragraph (10) of paragraph 7 of Part I of the first schedule there shall be added the following sub-paragraph:—

"(10A) A practitioner who is responsible under these terms of service for the treatment of ten or more persons in a school or institution in which at least twenty persons are normally resident may use a single form for ordering drugs of a kind to which this sub-paragraph applies for any two or more of the said persons for whose treatment he is responsible but instead of entering on the form the names of such persons he shall enter thereon the name of the school or institution and the number of the persons residing therein for whose treatment he is responsible. The drugs to which this sub-paragraph applies are those included in the National Formulary for the time being in force (except drugs and preparations within the meaning of the Dangerous Drugs Regulations, 1937(b), or drugs being or containing a poison included in the Fourth Schedule to the Poisons Rules, 1949(c)), and any other drugs which may from time to time be notified to practitioners and chemists by the Minister, after consultation with organisations which are in his opinion representative of medical practitioners and chemists, as being drugs to which this sub-paragraph applies."

(12) The following sub-paragraph shall be substituted for sub-paragraph (3) of paragraph 8 of Part I of the first schedule (which makes provision with respect to the employment of deputies and assistants).

"(3) (*a*) A practitioner shall not employ an assistant whose name is included in the medical list of the area unless the name of the assistant was included in the list before the first day of February, 1950, or the assistant is a practitioner also providing in the area general medical services as a principal.

(a) 9 & 10 Geo. 6. cc. 62 and 67. (b) S.R. & O. 1937 (No. 560) p. 630.
(c) S.I. 1949 No. 539, p. 3278 below.

(*b*) A practitioner shall not, except for a period of less than three months, employ an assistant without the consent of the Council or, on appeal, the Medical Practices Committee.

(*c*) A practitioner shall notify the name of any assistant employed by him to the Council."

(13) In the form set out in Part III of the first schedule (the application form for inclusion in a medical list) the words " I intend to act as an assistant to....." shall be deleted.

(14) After Part III of the first schedule there shall be added as Part IV of the schedule the form set out in the first schedule to these regulations.

(15) At the end of paragraph 7 of Part I of the fourth schedule (which provides for drugs and containers to be supplied without charge) there shall be added the following proviso :—

" Provided that where a chemist provides a container in response to an order for drugs signed by a practitioner under paragraph 7 (10A) of Part I of the first schedule to the regulations, the container shall remain the property of the chemist ".

(16) After paragraph 7 of Part I of the fourth schedule there shall be added the following paragraph :—

" *Advertising*

7A.—(1) Except as provided in sub-paragraph (2) of this paragraph a chemist shall not advertise either directly or by implication that his name is included in a pharmaceutical list or that he provides or is authorised to provide pharmaceutical services under the Act.

(2) Nothing in this paragraph shall prohibit :—

(*a*) the display at any premises at which a chemist carries on business of the notices referred to in sub-paragraph (2) of paragraph 4 of these terms of service ; or

(*b*) the use in any advertisement of wording identical with that contained in the notices aforesaid, or of the following wording (or wording substantially to the like effect approved by the Minister) as appropriate : " National Health Service prescriptions dispensed " or " Drugs/Appliances supplied under the National Health Service " ; or

(*c*) the inclusion in any advertisement of a statement of the days and hours at which pharmaceutical services are provided.

(3) For the purposes of this paragraph, the expression " advertise " includes :—

(*a*) the publication of a notice in any newspaper or other printed paper issued periodically for public circulation ;

(*b*) the issue of circular letters ;

(*c*) the use of letter headings, bill or account headings and the like ;

(*d*) the publication of booklets, leaflets and pamphlets ;

(*e*) canvassing in any form ;

(*f*) the making of any public announcement by means of wireless, gramophone records or loudspeaker ;

(*g*) the display of any poster, placard, streamer or sign ;

(*h*) the exhibition of any film, slide or announcement at a theatre, cinema or other place of public entertainment or resort.

(17) After the fourth schedule there shall be added as the fifth schedule the list of medical certificates set out in the second schedule to these regulations.

FIRST SCHEDULE

(To be added as Part IV of the first schedule to the principal regulations)

"PART IV

Form of application for filling a vacancy

To the Executive Council for.....

I, ...
(full name in block letters)

residing at .....
a registered medical practitioner included in the Medical Register in that name apply to succeed to the practice at .....
..... declared vacant by your Council.

If I am selected,

(*a*) the district or districts within which I undertake to visit patients and particulars of my surgery hours are:—

District.	Surgery.	Days and hours of attendance.

(*b*) I also undertake to visit any patients who at the date they are placed on my list reside outside the said district or districts at the place at which they are residing at that date.

PART A

(to be completed by all applicants)

1. (*a*) Age ..... (*b*) Date and place of Registration
.....

2. Professional qualifications (and where obtained) .....
.....
.....

3. I $\frac{\text{am}}{\text{am not}}$ * on the Medical List for the Council's area.

4. If not on the Council's Medical List, state present appointment (if any) and if in general practice whether as a principal or assistant or locum
.....
.....
.....

5. Professional experience
(i) in general practice (if applicant has been "trainee assistant", state name and address of principal) .....
.....
.....
(ii) in hospitals .....
.....
(iii) other (including obstetric experience) .....
.....

* Delete as appropriate.

6. Particulars of any covenants restricting medical practice in the Council's area (if any) .....
.....
.....

7. If selected, I intend to practise in partnership with .....
..... (name and address)
who $\frac{\text{is}}{\text{is not}}$ * on the Council's Medical List. (State NO-ONE if not intending to practise in partnership.)

8. If not on Council's Medical List—
(i) Name of any other Executive Council(s) on whose list the applicant is included .....
(ii) Whether approved by a Local Obstetric Committee .....
(YES or NO)
(iii) Particulars of any applications still outstanding for inclusion in the Medical List of any Executive Council .....
.....
.....

9. Names and addresses of two referees:—
.....
.....
.....
.....
.....
.....

10. Any other supporting particulars on which the applicant proposes to rely
.....
.....
.....

Signed.....
Date.....

PART B

(to be completed only by applicants whose names are NOT included in the Medical List for the Council's area)

If I am selected for the vacancy I apply to be included in the list of medical practitioners undertaking to provide general medical services $\frac{\text{including}}{\text{excluding}}$ * maternity medical services for persons in the Council's area, and

(1) I accept service under, and agree to be bound by, the terms of service for the time being in operation in the area.

(2) I $\frac{\text{intend}}{\text{do not intend}}$ * to apply to the local obstetric committee for approval of my obstetric experience.

Signed.....
Date.....

PART C

(to be completed on behalf of Local Medical Committee)

The recommendations of the Local Medical Committee are:—
.....
.....
.....
Date..... .....
Secretary of Local Medical Committee.

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* Delete as appropriate."

PART D

(to be completed on behalf of Executive Council)

The recommendations of the Executive Council are:—

.....

.....

.....

Date..... .....

Clerk of the Council.

SECOND SCHEDULE

(To be added as the fifth schedule to the principal regulations)

"FIFTH SCHEDULE

LIST OF MEDICAL CERTIFICATES

Medical Certificate	Short Title of Enactment under or for the purpose of which certificate required
To support a claim or obtain a payment either personally or by proxy under the enactments specified.	Family Allowances Act, 1945. (8 & 9 Geo. 6. c. 41). National Insurance (Industrial Injuries) Act, 1946. (9 & 10 Geo. 6. c. 62). National Insurance Act, 1946. (9 & 10 Geo. 6. c. 67).
To prove inability to work or incapacity for self-support for the purposes of an award by the Minister of Pensions. To enable proxy to draw pensions, etc.	Pensions (Navy, Army, Air Force and Mercantile Marine) Act, 1939. (2 & 3 Geo. 6. c. 83). Pensions (Mercantile Marine) Act, 1942. (5 & 6 Geo. 6. c. 26). Naval and Marine Pay and Pensions Act, 1865. (28 & 29 Vict. c. 73). Air Force (Constitution) Act, 1917. (7 & 8 Geo. 5. c. 51). Personal Injuries (Emergency Provisions) Act, 1939. (2 & 3 Geo. 6. c. 82). Polish Resettlement Act, 1947. (10 & 11 Geo. 6. c. 19).
To procure— (*a*) extra coal in cases of illness (*b*) extra milk ... ... (*c*) extra petrol ... ... (*d*) extra rations	Emergency Powers (Defence) Acts, 1939–1945, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945. (9 & 10 Geo. 6. c. 10) and Supplies and Services (Extended Purposes) Act, 1947. (10 & 11 Geo. 6. c. 55).
To obtain permission to import foreign drugs and appliances. To obtain permission to export special foods with sick traveller or with infant of 2 years of age or under.	Import, Export, and Customs Powers (Defence) Act, 1939. (2 & 3 Geo. 6. c. 69).
To enable patient to have his sight tested under the Supplementary Ophthalmic Services.	National Health Service Act, 1946. (9 & 10 Geo. 6. c. 81).

Medical Certificate	Short Title of Enactment under or for the purpose of which certificate required
To establish fitness to receive nitrous oxide and air analgesia in childbirth.	Midwives Act, 1902. (2 Edw. 7. c. 17).
To secure registration of stillbirth ...	Births and Deaths Registration Act, 1926. (16 & 17 Geo. 5. c. 48).
To enable payment to be made to another person in case of mental disability of person entitled to payment from public funds.	Lunacy Act, 1890. (53 & 54 Vict. c. 5).
To justify release of patient from detention after absence on trial.	
To establish unfitness for jury service	Juries Act, 1922. (12 & 13 Geo. 5. c. 11).
To establish unfitness to attend for medical examination.	National Service Act, 1948. (11 & 12 Geo. 6. c. 64).
To support late application for reinstatement in civil employment where application delayed by sickness.	Reinstatement in Civil Employment Act, 1944. (7 & 8 Geo. 6. c. 15).
To enable disabled person to be registered as an absent voter.	Representation of the People Act, 1949. (12 & 13 Geo. 6. c. 68)."

Given under the official seal of the Minister of Health this sixteenth day of December, nineteen hundred and forty-nine.

(L.S.)

Wm. S. Douglas,
Secretary,
Ministry of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to give their general purport.)

These regulations amend the National Health Service (General Medical and Pharmaceutical Services) Regulations, 1948, in the following respects:—

(i) by amending the procedure for filling vacancies on the Medical List where the Executive Council declare a practice vacant.

(ii) by amending the procedure for securing the provision of general medical services to the patients of a doctor who has died or retired from the medical list;

(iii) by prescribing the medical certificates which a doctor is required to provide free of charge to his patients or their personal representatives as part of general medical services;

(iv) by amending the provisions relating to the employment of medical assistants;

(v) by permitting doctors to order certain drugs in bulk for their patients residing at schools and institutions; and

(vi) by restricting persons providing pharmaceutical services from advertising otherwise than in an approved manner, in connection with their work under the National Health Service.