EXPLANATORY NOTE

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

The order provides for the constitution of a Joint Committee to carry out the duties of the Executive Councils of England with respect to the checking and pricing of the prescriptions for drugs, medicines and appliances supplied as pharmaceutical services under section 38 of the National Health Service Act, 1946. The order further provides for the procedure of the Committee and for the transfer to it of the officers of Insurance Committees and Joint Committees constituted under the National Health Insurance Act, 1936, who were engaged for the purposes of similar functions and the property and liabilities of such committees held or incurred for such functions.

(2) WALES

The National Health Service (Welsh Joint Pricing Committee) Order, 1948

1948 No. 1488

Made - - - - 30*th June*, 1948
Laid before Parliament 1*st July*, 1948
Coming into Operation 3*rd July*, 1948

1215 W.

Whereas it appears to the Minister of Health to be expedient in the interests of the efficiency of the services provided under Part IV of the National Health Service Act, 1946, that a Joint Committee should be established for the areas of all the Executive Councils in Wales for the purpose of exercising the functions of Executive Councils which are hereinafter mentioned:—

9 & 10 Geo. 6. c. 81.

Now, therefore, the Minister of Health in exercise of the powers conferred upon him by section 31 of the said Act hereby makes the following order:—

Short title and commencement.

1. This Order may be cited as the National Health Service (Welsh Joint Pricing Committee) Order, 1948, and shall come into operation on the third day of July, 1948.

Interpretation.

2.—(1) In this Order, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them—

" The Act " means the National Health Service Act, 1946;

" The appointed day " means the 5th day of July, 1948;

" Council " means an Executive Council;

" The Minister " means the Minister of Health;

" Financial year " means a period of 12 months ending on the 31st day of March;

" Wales " means " Wales and Monmouthshire " and " Welsh " has a corresponding meaning.

52 & 53 Vict. c. 63.

(2) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Constitution of Committee and functions.

3. A Joint Committee to be known as " the Welsh Joint Pricing Committee " (hereinafter referred to as " the Committee ") shall be constituted for the areas of all the Councils in Wales for the purpose of exercising the functions of the Councils in regard to the examination,

checking and pricing of prescriptions for drugs, medicines and appliances supplied under the arrangements made by those Councils for the provision of pharmaceutical services.

Membership.

4. The Committee shall consist of 14 members of whom 10 shall be persons appointed in the manner provided in article 5 hereof, 3 shall be registered pharmacists appointed by the Minister after consultation with such organisation as the Minister may recognise as representative of persons providing pharmaceutical services and one shall be a medical practitioner appointed by the Minister after consultation with such organisation as the Minister may recognise as representative of the general body of medical practitioners.

5. The appointment of the 10 members referred to in article 4 shall be made in the following manner—

(*a*) Each Council or group of Councils named in the Schedule hereto shall appoint the number of members specified in the Schedule opposite the name of that Council or group of Councils.

(*b*) A person so appointed shall be a member or officer of the Council or of one of the Councils in the group by which the appointment is made.

(*c*) Such Association of Executive Councils as the Minister may recognise as representative of the Councils in Wales shall determine the the method of appointment of the members appointed by the groups of Councils.

The name and address of every member appointed hereunder shall be notified to the Minister without delay by either the Clerk of the Council or the Secretary of the above-mentioned Association as is appropriate.

Chairman and Vice-Chairman.

6.—(1) The Committee shall appoint a member of the Committee to be Chairman and may appoint another to be Vice-Chairman. The Chairman and Vice-Chairman shall continue in office until the termination of their membership of the Committee. For the purpose of this paragraph reappointment to membership of the Committee shall be deemed not to constitute a continuation of membership.

(2) The Clerk of the Committee shall inform the Minister of the name and address of the Chairman.

Term of Office of Members.

7. Subject as hereinafter provided original members of the Committee shall hold office until the 31st day of March, 1950, and thereafter the term of office shall be for one year commencing on the 1st day of April in any year and ending on the 31st day of March in the next following year: provided that at the expiration of his term of office a member shall be eligible for reappointment.

Resignation or Removal of Members

8.—(i) A member of the Committee who desires to resign his membership shall give notice in writing to the Clerk of the Committee.

(ii) If a member has not attended any meeting of the Committee for a period of six months the Clerk of the Committee shall inform the Committee and unless the Committee are satisfied that his absence was due to illness or other reasonable cause, they shall declare that his seat on the Committee has become vacant.

Vacation of Office.

9. If a member of the Committee who is appointed in accordance with the provisions of article 5 hereof ceases to be a member or officer of a Council, he shall also cease to be a member of the Committee.

Disqualification for Membership. 23 & 24 Geo. 5. c. 51.

10. Subject to paragraphs (ii), (iii) and (v) of the proviso to subsection (1) of section 59 of the Local Government Act, 1933, the provisions of paragraphs (*b*) and (*e*) of that subsection (which disqualify a person for being elected or being a member of a local authority if he has been adjudged bankrupt or made a composition or arrangement with his creditors or has been sentenced to imprisonment for not less than 3 months without the option of a fine) shall apply as if the section related to membership of the Committee.

Casual Vacancies.

11.—(1) If a casual vacancy occurs by reason of the death, vacation of office or disqualification of a member of the Committee the Clerk of the Committee shall forthwith inform the Minister and if the person whose seat is vacated was other than one appointed by the Minister he shall also inform either the Clerk of the Council or the Secretary of the above-mentioned Association of Executive Councils as is appropriate.

(2) A person who is eligible for appointment as a member of the Committee under article 5 shall be appointed by the Committee to fill any casual vacancy occurring among the members appointed under that regulation and in the case of any other casual vacancy a person shall be appointed by the Minister as if he were making an appointment under article 4.

(3) A person appointed to fill a casual vacancy shall hold office for the remainder of the term of office of his predecessor.

Procedure.

12.—(1) The provisions of regulations 10 (Meetings), 11 (Minutes), 12 (Officers), 13 (Committees) and 14 (Power to make Standing Orders) of the National Health Service (Executive Councils) Regulations, 1947(**a**), shall apply for the purposes of this Order as if for any reference therein to a Council there were substituted a reference to the Committee and as if for any reference to a Committee of a Council there were substituted a reference to a sub-Committee.

(2) The proceedings of the Committee shall not be invalidated by any vacancy in the membership of the Committee or by any defect in the appointment or qualification of any member thereof.

Reports by Committee.

13. The Committee shall make reports to the Councils at such times and in such manner as they or the Minister may require and shall furnish to the Minister such information as he may from time to time require.

Expenses.

14. Any expenses incurred by the Committee shall be defrayed by the Councils in Wales in such proportions as the Minister may determine.

Accounts.

15. The provisions of regulations 4 (advances of funds by Minister), 5 (banking accounts), 6 (financial officers), 7 (receipt of moneys) and 8 (payment of moneys) of the National Health Service (Executive Councils and Dental Estimates Board) Financial Regulations, 1948(**b**), shall apply to the Committee in the same way as they apply to Executive Councils, with the following modifications:—

1. The word "Committee" shall be substituted for the word "Council."

(**a**) S.R. & O. 1947 (No. 889) I, p. 1324.
(**b**) S.I. 1948 No. 1239, p. 2076 above.

2. References to the finance committee shall be construed as references to the Committee or, if a finance sub-Committee is appointed, to that sub-Committee.

3. References to the Ophthalmic Services Committee shall be omitted.

Annual and Supplementary Estimates.

16.—(1) It shall be the duty of the financial officer to prepare and submit to the Committee not later than the 30th day of September of each year an estimate (hereinafter referred to as " the annual estimate ") of the administration expenses of the Committee during the next financial year.

(2) If at any time it appears to be necessary to make additional payments for which provision has not been included in the annual estimate the financial officer shall as soon as may be prepare and submit to the Committee an estimate (hereinafter referred to as " a supplementary estimate ") of such additional payments.

(3) The Committee shall consider the annual and any supplementary estimate submitted to them by the financial officer and subject to such amendments therein, if any, as they may think fit to make, shall adopt such estimates as estimates of the Committee and shall transmit them to the Minister in a form to be approved by him, in the case of the annual estimate not later than the 15th day of October in each year and in the case of a supplementary estimate within 14 days of its adoption by the Committee.

(4) No expenses shall be incurred by or on behalf of the Committee unless provision for such expenses has been included in the annual or supplementary estimates of the Committee.

17.—(1) The Committee shall record their transactions in such books and accounts as may from time to time be approved by the Minister.

(2) The accounts of the Committee shall be posted from time to time and made up and balanced at the end of the financial year. As soon as may be after the close of the financial year and in any case not later than the 30th day of April the financial officer shall prepare a statement in a form to be approved by the Minister and shall certify the same to be correct. He shall submit the statement to the Committee for their approval and adoption, which shall be signified by the signature of the Chairman thereon, and to the auditor.

(3) The provisions of paragraphs (3) and (5) of regulation 9 of the National Health Service (Executive Councils and Dental Estimates Board) Financial Regulations, 1948, with the substitution of the word " Committee " for the word " Council " shall apply to the Committee.

Audit.

18. The Committee shall prepare and transmit to the Minister in respect of each financial year annual accounts in such form as the Minister may direct and such accounts shall be audited by an auditor appointed by the Minister.

Payment of Expenses of Members.

19. The Committee may make to their members or the members of any sub-Committee appointed by them payments in respect of loss of remunerative time, and in respect of travelling and subsistence expenses in accordance with the rates prescribed under and as though the Committee was a Council for the purposes of paragraph 3 (*c*) of the fifth Schedule to the Act.

Transfer of Officers. 26 Geo. 5. & 1 Edw. 8. c. 32.

20. Any officer who immediately before the appointed day was employed by the Welsh Joint Insurance (Pricing) Committee constituted under Section 94 of the National Health Insurance Act, 1936, solely for the purposes of functions similar to those transferred to the Committee by virtue of this Order and who by virtue of the regulations made under Section 68 (2) of the Act is transferred to a Council, shall immediately after such transfer be transferred from that Council to, and become an officer of, the Committee.

Transfer of Property and Liabilities.

21. All property (other than land) and liabilities which were held by the Welsh Joint Insurance (Pricing) Committee constituted under Section 94 of the National Health Insurance Act, 1936, or to which the Joint Committee so constituted were subject, immediately before the appointed day solely for the purposes of functions similar to those transferred to the Committee by virtue of this Order, and which are transferred to and vested in a Council by virtue of regulation 3 of the National Health Service (Transfer of Property and Liabilities of Insurance Committees, etc.) Regulations, 1948(a), shall immediately after such vesting be transferred to and vest in the Committee.

22. The Committee shall deal with any moneys or fund transferred by the last preceding article in such manner as the Minister may, with the approval of the Treasury, determine.

SCHEDULE

Council or Group of Councils	*Number of Members*
1. Cardiff Executive Council	1
2. Glamorgan Executive Council	3
3. Merthyr and Swansea Group, comprising the Merthyr Tydfil and Swansea Executive Councils	1
4. Monmouthshire and Newport Executive Council	1
5. North Wales Group, comprising the Anglesey, Caernarvonshire, Denbighshire and Flintshire, Merionethshire and Montgomeryshire Executive Councils	2
6. South Wales Group, comprising the Breconshire, Cardiganshire, Carmarthenshire, Pembrokeshire and Radnorshire Executive Councils	2
Total	10

Given under the Official Seal of the Minister of Health this Thirtieth day of June, nineteen hundred and forty-eight.

(L.S.)

Geoffrey Crawshay,
Chairman,
Welsh Board of Health.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport)

The Order provides for the constitution of a Joint Committee to carry out the duties of the Executive Councils in Wales with respect to the checking and pricing of the prescriptions for drugs, medicines and appliances supplied as pharmaceutical services under Section 38 of the National Health Service Act, 1946. The Order further provides for the

(a) S.I. 1948 No. 1237, p. 2301 below.

procedure of the Committee and for the transfer to it of the officers of the Welsh Joint Insurance (Pricing) Committee constituted under the National Health Insurance Act, who were engaged for the purposes of similar functions and the property and liabilities of the Committee held or incurred for such functions.

15. MEDICAL PRACTICES COMPENSATION

The National Health Service (Medical Practices Compensation) Regulations, 1948

1948 No. 1506

Made - - - -	1*st July*, 1948
Laid before Parliament	1*st July*, 1948
Coming into Operation	5*th July*, 1948

108152.

The Minister of Health, in exercise of his powers under sections 36 and 74 of the National Health Service Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:— 9 & 10 Geo. 6. c. 81.

PART I
General

1. These regulations may be cited as the National Health Service (Medical Practices Compensation) Regulations, 1948, and shall come into operation on the 5th day of July, 1948. Short title and commencement.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:— Interpretation.

" the Act " means the National Health Service Act, 1946;

" the appointed day " means the fifth day of July, 1948;

" accounting year " in relation to a medical practice means the period of twelve months for which the accounts of the practitioner engaged in that practice are made up;

" medical list " means the list prepared by an Executive Council of medical practitioners undertaking to provide general medical services;

" practitioner " means a registered medical practitioner;

" aggregate amount of compensation " means the aggregate amount of compensation payable to practitioners in England and Wales under section 36 of the Act;

" qualified accountant " means a person who is a member of one or more of the following bodies:—

The Institute of Chartered Accountants in England and Wales;
The Society of Incorporated Accountants and Auditors;
The Society of Accountants in Edinburgh;
The Institute of Accountants and Actuaries in Glasgow;
The Society of Accountants in Aberdeen;
The Institute of Chartered Accountants in Ireland;
The Association of Certified and Corporate Accountants Limited.

(2) For the purposes of these regulations references to the goodwill of a medical practice shall, unless the context otherwise requires, in relation to a practitioner practising in partnership be construed as referring to his share of the goodwill of the partnership practice.

(3) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.