

# THE NATIONAL HEALTH SERVICE (GENERAL MEDICAL SERVICES) REGULATIONS 1992

## *Schedule 2*

### Terms of Service for Doctors

#### ***Important Note***

This copy of the NHS (General Medical Services) Regulations 1992 has been electronically reproduced from a version published March 1999 by the GPC secretariat, which was the 1996 consolidated version additionally incorporating seven further statutory instruments (SI).

Although the document has been checked for errors, it is intended only as a guide for members and constituents of the WMRLMC, and has no official status. For a statement of law, reference must be made to the appropriate statutory instrument.

#### **Certification**

37. (1) A doctor shall issue free of charge to a patient or his personal representatives any medical certificate of a description prescribed in column 1 of Schedule 9, which is reasonably required under or for the purposes of the enactments specified in relation to the certificate in column 2 of that Schedule, except where, for the condition to which the certificate relates, the patient:
- (a) is being attended by another doctor (other than a partner, assistant or other deputy of the first named doctor); or
  - (b) is not being treated by, or under the supervision of, a doctor.
- (2) The exception in sub-paragraph (1)(a) shall not apply where the certificate is issued pursuant to regulation 2(1) of the Social Security (Medical Evidence) Regulations 1976<sup>1</sup> (which provides for the issue of a certificate in the form of a special statement by a doctor on the basis of a written report made by another doctor).
- (3) Any certificate given under sub-paragraph (1) for the purposes of:
- (a) the Social Security Act 1975<sup>2</sup> shall be issued in accordance with any regulations made under that Act<sup>3</sup>;
  - (b) section 17(2) of the Social Security and Housing Benefits Act 1982<sup>4</sup> shall be issued in accordance with any regulations made under that Act<sup>5</sup>; or
  - (c) Part V of, and Schedule 4 to, the Social Security Act 1986<sup>6</sup>, shall be issued in accordance with any regulations made under that Act<sup>7</sup>.

<sup>1</sup> S.I. 1976/615, as amended by S.I. 1982/1699, 1987/409, 1987/1686 and 1992/247.

<sup>2</sup> 1975 c.14.

<sup>3</sup> See S.I. 1976/615 and 1987/1968.

<sup>4</sup> 1982 c.24; section 17 was amended by section 20 of the Social Security Act 1985 (c.53).

<sup>5</sup> See S.I. 1985/1604, as amended by S.I. 1992/247.

<sup>6</sup> 1986 c.50.

<sup>7</sup> See S.I. 1987/235, as amended by S.I. 1991/2284