



# Primary Medical Services (Scotland) Act 2004 2004 asp 1

## PART 1

### PROVISION OF PRIMARY MEDICAL SERVICES

#### *Health Boards' functions*

#### **1 Health Boards' functions: provision of primary medical services**

- (1) The National Health Service (Scotland) Act 1978 (c. 29) (referred to in this Act as “the 1978 Act”) is amended as follows.
- (2) After section 2 (constitution of Health Boards) insert—

#### **“2C Functions of Health Boards: primary medical services**

- (1) Every Health Board—
  - (a) must, to the extent that they consider necessary to meet all reasonable requirements, provide or secure the provision of primary medical services as respects their area; and
  - (b) may, to such extent, provide or secure the provision of primary medical services as respects the area of another Health Board,  
and primary medical services provided, or the provision of which is secured, by a Health Board under or by virtue of this subsection may be performed outside their area.
- (2) For the purpose of securing the provision of primary medical services under subsection (1), a Health Board may make such arrangements for the provision of the services as they think fit (and may in particular make contractual arrangements with any person).
- (3) A Health Board must publish information about such matters as may be prescribed in relation to the primary medical services provided under this Part.

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*Status: Point in time view as at 01/04/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Primary Medical Services (Scotland) Act 2004, Cross Heading: Health Boards' functions. (See end of Document for details)*

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- (4) Without prejudice to section 13, Health Boards must co-operate with one another in discharging their respective functions relating to the provision of primary medical services under this Part.
  - (5) Regulations may provide that services of a prescribed description are, or are not, to be regarded as primary medical services for the purposes of this Act.
  - (6) Such regulations may in particular describe services by reference to the manner or the circumstances in which they are provided.
  - (7) Arrangements made under this Part by a Health Board for the provision of primary medical services may provide for such services to be performed outside Scotland.
  - (8) Anything done by a Health Board in pursuance of subsection (1) or (2) is to be regarded as done in exercise of functions of the Scottish Ministers conferred on the Health Board by an order under section 2(1)(a).”
- (3) In section 18, the words “general medical,” are repealed.

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**Commencement Information**

- I1** S. 1(1)(2) in force at 13.2.2004 for specified purposes by S.S.I. 2004/58, art. 2(1), **Sch.** (with art. 2(2))
- I2** S. 1(1)(2) in force at 1.4.2004 in so far as not already in force by S.S.I. 2004/58, **art. 2(3)**
- I3** S. 1(3) in force at 1.4.2004 by S.S.I. 2004/58, **art. 2(3)**

**Status:**

Point in time view as at 01/04/2004.

**Changes to legislation:**

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