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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE 2

(introduced by section 41)

### MINOR AND CONSEQUENTIAL MODIFICATIONS

#### PART 1

##### TOBACCO PRODUCTS ETC.

###### *Children and Young Persons (Scotland) Act 1937 (c.37)*

- 1 Section 18 of the Children and Young Persons (Scotland) Act 1937 is repealed.

###### *Children and Young Persons (Protection from Tobacco) Act 1991 (c.23)*

- 2 The Children and Young Persons (Protection from Tobacco) Act 1991 is amended as follows—
- (a) sections 2 and 4 are repealed,
  - (b) in section 6—
    - (i) in subsection (1)(a), for the word from “18” to “4” substitute “3”,
    - (ii) in subsection (2), for “provisions” substitute “provision”,
    - (iii) in subsection (2)(a), for “those provisions” substitute “that provision”,
    - (iv) in subsection (2)(b), for “those provisions” substitute “that provision”,
    - (v) subsection (2)(c) is repealed,
  - (c) in section 8—
    - (i) in subsection (3), the words “or 2” are repealed,
    - (ii) in subsection (4), the words “or 2” are repealed,
    - (iii) in subsection (5), in the definition of “the relevant provision”, paragraph (b) is repealed.

###### *Tobacco Advertising and Promotion Act 2002 (c.36)*

- 3 In section 6(1)(a) of the [Tobacco Advertising and Promotion Act 2002 \(c.36\)](#), the words “, or fixed to the outside of the premises of,” are repealed.
- 4 In section 8 of that Act—
- (a) in subsection (1), the words “in a place or” are repealed,
  - (b) subsection (3) is repealed.

###### *Smoking, Health and Social Care (Scotland) Act 2005 (asp 13)*

- 5 Section 9 of the Smoking, Health and Social Care (Scotland) Act 2005 is repealed.

## PART 2

### PRIMARY MEDICAL SERVICES

#### *National Health Service (Scotland) Act 1978 (c.29)*

- 6 (1) Section 17D of the National Health Service (Scotland) Act 1978 is amended as follows—
- (a) in subsection (1), after “section 17C” insert “under which personal dental services are provided”,
  - (b) in subsection (1)(b), for “in the case of an agreement under which primary medical services are provided” substitute “a company which is limited by shares all of which are legally and beneficially owned by persons falling within the following sub-paragraphs and paragraphs (c) to (d)”,
  - (c) in subsection (1)(c)—
    - (i) the words “in the case of an agreement under which personal dental services are provided” are repealed, and
    - (ii) sub-paragraphs (i) and (ii) become paragraphs (c) and (ca) respectively of subsection (1),
  - (d) in subsection (1)(d)—
    - (i) after “section 17C employee,” insert “or”,
    - (ii) the words “or (in the case of an agreement under which primary medical services are provided) an Article 15B employee” are repealed,
  - (e) subsections (1A) and (1B) are repealed,
  - (f) in subsection (2), in the definition of “qualifying body”—
    - (i) paragraph (a) and the words “and also” immediately following it are repealed,
    - (ii) in paragraph (b), the words “in the case of an agreement under which person dental services are provided,” are repealed.
- (2) In the section title of section 17D of that Act, for “Persons” substitute “Personal dental services: persons”.

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

- 7 In section 2(3) of the Primary Medical Services (Scotland) Act 2004, paragraph (c) is repealed.