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SCOTTISH STATUTORY INSTRUMENTS

2003 No. 298

NATIONAL HEALTH SERVICE

The National Health Service (General Medical Services Supplementary Lists) (Scotland) Amendment Regulations 2003

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| <i>Made</i> | - - - - | <i>5th June 2003</i> |
| <i>Laid before the Scottish Parliament</i> | - - - - | <i>6th June 2003</i> |
| <i>Coming into force</i> | - - | <i>30th June 2003</i> |

The Scottish Ministers, in exercise of the powers conferred by sections 19, 24B, 24C(2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Medical Services Supplementary Lists) (Scotland) Amendment Regulations 2003 and shall come into force on 30th June 2003.

(2) In these Regulations “the principal Regulations” means the National Health Service (General Medical Services Supplementary Lists) (Scotland) Regulations 2003(2).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations omit the definition of “medical practitioner”.

(1) 1978 c. 29. Section 19 was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), section 7, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) (“the 1983 Act”), Schedule 7, paragraph 2, the Medical Act 1983 (c. 54), Schedule 5, paragraph 17(c), the National Health Service and Community Care Act 1990 (c. 19), section 37, the Medical (Professional Performance) Act 1995 (c. 51), Schedule 1, paragraph 29 and the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 39 and is to be read with the Health and Medicines Act 1988 (c. 49), section 17; section 24B and 24C(2) were inserted by section 18(2) of the Community Care and Health (Scotland) Act 2002 (asp 5); section 105(7) was amended by the 1980 Act, Schedule 6, paragraph 5 and by the 1983 Act, Schedule 9, paragraph 24; section 108(1) defines “prescribed” and “regulations”. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 49).

(2) S.S.I. 2003/64.

Amendment of regulation 5 of the principal Regulations

3. In regulation 5(3) of the principal Regulations for “Subject to paragraph (5) the” substitute “The”.

Amendment of regulation 6 of the principal Regulations

4. In regulation 6(6) of the principal Regulations for “doctor” substitute “medical practitioner”.

Amendment of regulation 8 of the principal Regulations

5. In regulation 8(4)(a) of the principal Regulations–

(a) after “after” insert “the”; and

(b) after “registration” insert “as a medical practitioner, being registration in the United Kingdom or anywhere in the world”.

Amendment of regulation 9 of the principal Regulations

6. In regulation 9(2)(b) of the principal Regulations for “he” substitute “the applicant”.

Amendment of regulation 11 of the principal Regulations

7. In regulation 11(4) of the principal Regulations for “medical list” substitute “supplementary list”.

St Andrew’s House, Edinburgh
5th June 2003

MALCOLM CHISHOLM
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services Supplementary Lists) (Scotland) Regulations 2003 (“the principal Regulations”) which made provision for the preparation and keeping, by Health Boards, of lists of medical practitioners approved to assist in the provision of general medical services.

These Regulations make minor amendments to the principal Regulations.

Regulation 2 removes the definition of “medical practitioner” in the principal Regulations. A definition of “medical practitioner” is already contained in section 108(1) of the National Health Service (Scotland) Act 1978.

Regulation 3 removes the unnecessary reference to sub-paragraph (5) in regulation 5(3) of the principal Regulations.

Regulation 4 corrects the reference to “doctor” in regulation 6(6) of the principal Regulations to be a reference to a medical practitioner.

Regulation 5 clarifies the meaning of “date of first registration” in regulation 8(4)(a) of the principal Regulations.

Regulation 6 amends regulation 9(2)(b) of the principal Regulations to read in gender neutral terms.

Regulation 7 corrects the reference to “the medical list” in regulation 11(4) of the principal Regulations to be a reference to the supplementary list.