
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 142

**The General Medical Services (Transitional and
Other Ancillary Provisions) (Scotland) Order 2004**

PART 4

ARRANGEMENTS UNDER REGULATION 24

Temporary arrangements under regulation 24 of the 1995 Regulations

15.—(1) Where—

- (a) on 31st March 2004 a Health Board is making arrangements under—
 - (i) regulation 24(2) of the 1995 Regulations⁽¹⁾ in the case of a medical practitioner who is suspended from the Medical Register or suspended by the Tribunal; or
 - (ii) regulation 24(7) of those Regulations;
- (b) no notice of termination of those arrangements has been given under regulation 24(4) or (13) of those Regulations which takes effect on 1st April 2004; and
- (c) the Health Board has not, on 1st April 2004, entered into—
 - (i) a GMS contract; or
 - (ii) a default contract,

with the medical practitioner on whose behalf it is making those arrangements, paragraph (2) shall apply.

(2) In the circumstances specified in paragraph (1), the Health Board shall, if the medical practitioner (or medical practitioners) with whom the temporary arrangements were made so wishes (or so wish), make contractual arrangements with that practitioner (or those practitioners), with effect from 1st April 2004, for the provision of such primary medical services as that practitioner was (or those practitioners were) providing under those arrangements to the patients to whom that practitioner was (or those practitioners were) providing those services.

(3) A contract entered into by a Health Board pursuant to paragraph (2) shall be for such period as the Health Board may agree with the contractor but may not continue beyond the date on which the medical practitioner for whom the contractual arrangements are in place ceases to be entitled to enter into a GMS contract with that Health Board.

(4) The contractor's list, or lists, of patients for the purpose of the contractual arrangements made pursuant to paragraph (2) shall, at the start of those arrangements, consist of the persons who, on 31st March 2004, were—

- (a) temporarily assigned to other medical practitioners under regulation 24(17A) of the 1995 Regulations; or
- (b) included on the list of the medical practitioner for whom the temporary arrangements were in place.

(1) Regulation 24 was amended by S.I. 1995/3199, S.I. 1998/660 and S.S.I. 1999/54..

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) Where the contractual arrangements are made with a person who has its own list of patients, the contractual arrangements shall require the lists to be kept separate.