

SCHEDULE 1

CONSEQUENTIAL AND ANCILLARY AMENDMENTS

The National Health Service (Scotland)(Injury Benefits) Regulations 1998

8.—(1) The National Health Service (Scotland) (Injury Benefits) Regulations 1998(1) shall be amended as provided in this paragraph.

(2) In regulation 2 (interpretation)(2)–

(a) in the definition of “assistant practitioner”–

(i) in paragraph (a) omit “medical practitioner, or” and “medical practitioner or”; and

(ii) for paragraph (b) substitute–

“(b) a person–

(i) on a primary medical services performers list; or

(ii) who is a GP Registrar and has applied for inclusion on a primary medical services performers list, and

who is employed (other than by a Health Board) to perform primary medical services under a GMS contract, a default contract or a section 17C agreement;”;

(b) in the definition of “practitioner”–

(i) in paragraph (a) for “a registered medical practitioner or a registered dentist whose name is included on the medical list or, as the case may be,” substitute “a registered dentist whose name is included”;

(ii) in paragraph (c), omit “a registered medical practitioner or”;

(iii) omit “and” after paragraph (d);

(iv) in paragraph (e)–

(aa) for “a registered medical practitioner or a registered dentist who is a medical pilot scheme employee or a dental pilot scheme employee, as the case may be,” substitute “a registered dentist who is a dental pilot scheme employee”;

(bb) in sub-paragraph (i) omit “the medical list or, as the case may be,”;

(cc) in the full out words at the end, omit “medical or”; and

(dd) at the end, insert “and”; and

(v) at the end, insert–

“(f) a registered medical practitioner who is included in a primary medical services performers list and who is, or is a member of a partnership which is, providing services under–

(i) a GMS contract or default contract; or

(ii) a section 17C agreement;”;

(c) omit the definitions of “medical list”, “medical pilot scheme employee” and “personal medical services”; and

(d) insert the following definitions at the appropriate place in alphabetical order:–

(1) S.I.1998/1594

(2) Regulation 2 was amended by S.I. 1999/444, S.S.I. 1999/195 and 2001/437.

Status: This is the original version (as it was originally made).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

““default contract” means a contract under article 13 of the General Medical Services (Transitional and Other Ancillary Provisions) (Scotland) Order 2004(3);”;

““GP Registrar” has the meaning assigned to it in regulation 2 of the National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004(4);”;

“GMS contract” means a general medical services contract under section 17J of the National Health Service (Scotland) Act 1978(5);?CQ?;

“primary medical services performers list” means a list of primary medical services performers prepared in accordance with regulations made under section 17P of the National Health Service (Scotland) Act 1978(6);?CQ?;

“section 17C agreement means an agreement made under section 17C of the National Health Service (Scotland) Act 1978(7) and includes a transitional agreement as defined in article 1(2) of the General Medical Services and Section 17C Agreements (Transitional and other Ancillary Provisions) (Scotland) Order 2004(8);”;

- (3) In regulation 3 (persons to whom the regulations apply)(9), omit paragraph (1)(f).
- (4) In regulation 4A (recovery of costs)(10)—
 - (a) at the end of paragraph 4(c) insert “and”; and
 - (b) omit paragraph 4(d).

(3) [S.S.I. 2004/142](#).

(4) [S.S.I. 2004/114](#).

(5) Section 17J was inserted by the 2004 Act, section 4.

(6) Section 17P was inserted by the 2004 Act, section 5.

(7) Section 17C was inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 21(2) and was amended by the 2004 Act, section 2(2).

(8) [S.S.I. 2004/163](#).

(9) Regulation 3 was amended by S.I. 1999/444 and S.S.I. 2001/437.

(10) Regulation 4A was inserted by S.S.I. 1999/195 and amended by S.S.I. 2001/437.