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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 215**

**The National Health Service (General Medical Services Contracts) (Scotland) Amendment Regulations 2004**

**Amendment of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004**

2.—(1) The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004<sup>(1)</sup> shall be amended as provided in this regulation.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “NHS contract” for “(5)” substitute “(4)”; and
- (b) in paragraph (f) of the definition of “patient” for “Schedule 5” substitute “Schedule 6”.

(3) In regulation 10 (health service body status) —

- (a) in paragraph (2)—
  - (i) for “(5)” substitute “(4)”; and
  - (ii) for “paragraph (4)” substitute “paragraph (3)”; and
- (b) in paragraph (4) for “(4)” substitute “(3)”.

(4) In regulation 15(8) (essential services) before “necessary” insert “immediately”.

(5) In regulation 17 (opt outs of additional and out of hours services)—

- (a) in paragraph (1), (2), (3) and (4) for “3(12) to (17)” substitute “3(14) to (16)” in each place where it occurs; and
- (b) in paragraph (2), (3) and (4) for “4(8)” substitute “4(9)” in each place where it occurs.

(6) In Schedule 2 (opt outs of additional and out of hours services)—

- (a) in paragraph 3(1) (permanent opt outs) in the definition of “A day” after “opt” in the second place where it occurs insert “out”; and
- (b) in paragraph 4(9) (out of hour opt outs where the opt out notice is served after 30th September 2004) for “permanent” in the second place where it occurs substitute “preliminary”.

(7) In Schedule 5 (other contractual terms)—

- (a) in paragraph 41(4)(g) (restrictions on prescribing by supplementary prescribers) after “it” insert “is”;
- (b) in paragraph 74(1)(b) (notifications to the Health Board) for “101, 102 or 103(1)” substitute “99, 100 or 101(1)”;
- (c) in paragraph 101(2)(j)(i) (other grounds for termination by the Health Board) after “awarded” insert “or”;
- (d) in paragraph 107(1) (termination and the NHS dispute resolution procedure) for “it” substitute “is”; and

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**Status:** This is the original version (as it was originally made).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

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- (e) in paragraph 114(5)(b) (gifts) for “his” substitute “the patient's”.
- (8) In paragraph 18 of Schedule 8 (information to be included in practice leaflets) for “28” substitute “26”.