

2007 No. 392

NATIONAL HEALTH SERVICE

The National Health Service (General Medical Services Contracts) (Scotland) Amendment (No. 2) Regulations 2007

Made - - - - *5th September 2007*

Laid before the Scottish Parliament *6th September 2007*

Coming into force - - *1st October 2007*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 17K, 17N, 28(1), 105(7), and 108(1) of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the National Health Service (General Medical Services Contracts) (Scotland) Amendment (No. 2) Regulations 2007 and come into force on 1st October 2007.

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(b) are amended as follows.

(2) In regulation 2(1) (interpretation)(c), for the definition of “the 2007 Regulations,” substitute “the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007(d).”

(a) 1978 c.29; sections 17K and 17N were inserted by the Primary Medical Services (Scotland) Act 2004 (asp 1), section 4; section 28 was amended by the National Health Service (Amendment) Act 1986 (c.66), section 3(4) and the National Health Service and Community Care Act 1990 (c.18), Schedule 9, paragraph 19(8); section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, Part I, paragraph 24 and the Health Act 1999 (c.8), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2004/115. As amended by S.S.I. 2004/162 and 215, 2005/337, 2006/247, S.I. 2007/289 and S.S.I. 2007/206.

(c) Regulation 2 was amended by S.S.I. 2004/215, 2005/337, 2006/247, S.I. 2007/289 and S.S.I. 2007/206

(d) S.S.I. 2007/389.

(3) In sub-paragraphs (10) and (11) of paragraph 44 (provision of dispensing services) of Schedule 5(a) for “(f)” substitute “(g)”.

SHONA ROBISON

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
5th September 2007

(a) Schedule 5, paragraph 44(10) and (11) was amended by S.S.I. 2007/206.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004 (“the principal Regulations”) which regulate contracts for the provision of general medical services under the National Health Service (Scotland) Act 1978.

Regulation 2(2) amends regulation 2 of the principal Regulations by replacing the definition of “the 2007 Regulations”, as a consequence of the revocation of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2007 and their replacement by the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007.

Regulation 2(3) amends paragraph 44(10) and (11) of Schedule 5 to the principal Regulations as a consequence of the insertion of a new category of exemption from charges in sub-paragraph (g) of regulation 7(1) of the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007.

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