
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 394

The National Health Service (General Medical Services Contracts) (Scotland) Amendment Regulations 2010

Amendment of the 2004 Regulations

5. For regulation 4 (conditions relating solely to medical practitioners), substitute—

“Conditions relating solely to medical practitioners

4.—(1) In the case of a contract to be entered into with a medical practitioner, that practitioner must be a general medical practitioner who satisfies the conditions in regulations 5 and 5A.

(2) In the case of a contract to be entered into with a partnership—

- (a) at least one partner (who must not be a limited partner) must be a general medical practitioner;
- (b) all the other partners must be individuals; and
- (c) all the partners must satisfy the conditions in regulations 5 and 5A.

(3) In the case of a contract to be entered into with a limited liability partnership—

- (a) at least one member must be a general medical practitioner;
- (b) all the other members must be individuals; and
- (c) all the members must satisfy the conditions in regulations 5 and 5A.

(4) In the case of a contract to be entered into with a company—

- (a) at least one member of the company must be a general medical practitioner;
- (b) all other members must be individuals;
- (c) all the members must satisfy the conditions in regulations 5 and 5A, and
- (d) any director or secretary of the company must satisfy the conditions in regulation 5.

(5) In paragraphs (1), (2)(a), (3)(a) and (4)(a), “general medical practitioner” does not include a medical practitioner whose name is included in the General Practitioner Register by virtue of—

- (a) article 4(3) of the 2010 Order (general practitioners eligible for entry in the General Practitioner Register) because of an exemption under regulation 5(1)(d) of one of the sets of Regulations specified in paragraph (6);
- (b) article 6(2) of the 2010 Order (persons with acquired rights) by virtue of being a restricted service principal (within the meaning of one or more of the sets of Regulations specified in paragraph (7)) included in a list specified in that article; or
- (c) article 6(6) of the 2010 Order.

Status: This is the original version (as it was originally made).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

(6) The regulations referred to in paragraph (5)(a) are the National Health Service (Vocational Training for General Medical Practice) (Scotland) Regulations 1998, the National Health Service (Vocational Training for General Medical Practice) Regulations 1997 and the Medical Practitioners (Vocational Training) Regulations (Northern Ireland) 1998.

(7) The regulations referred to in paragraph (5)(b) are the National Health Service (General Medical Services) Regulations 1992, the National Health Service (General Medical Services) (Scotland) Regulations 1995 and the General Medical Services Regulations (Northern Ireland) 1997.”.