



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

PART I

PILOT SCHEMES FOR PRIMARY CARE

Financial provisions

18 Funding of preparatory work

- (1) Provision may be made by regulations for authorities to make payments of financial assistance for preparatory work.
- (2) “Preparatory work” means work which it is reasonable for a person to undertake—
 - (a) in connection with preparing proposals for a pilot scheme; or
 - (b) in preparing for the provision by him of any piloted services.
- (3) Regulations under this section may, in particular, include provision—
 - (a) prescribing the circumstances in which payments of financial assistance may be made;
 - (b) imposing a limit on the amount of any payment of financial assistance which an authority may make in any prescribed period in respect of any one person or any one pilot scheme;
 - (c) imposing a limit on the aggregate amount which an authority may pay by way of financial assistance in any one financial year;
 - (d) requiring a person to whom assistance is given under this section to comply with such conditions as may be imposed in accordance with prescribed requirements; and
 - (e) for repayment in the case of a failure to comply with any condition so imposed.

19 Fund-holding practices

Section 14 of the National Health Service and Community Care Act 1990 and section 87A of the 1978 Act (recognition of fund-holding practices of doctors) apply—

- (a) in relation to the provision of personal medical services under a pilot scheme as they apply in relation to the provision of general medical services in accordance with arrangements under section 29 of the 1977 Act or section 19 of the 1978 Act; but
- (b) only in relation to medical practitioners who are not employed by another person.

20 Charges for dental treatment

- (1) Regulations may provide for the making and recovery, in such manner as may be prescribed, of charges for dental treatment provided in accordance with pilot schemes.
- (2) “Dental treatment” means personal dental services other than those to which section 78(1A) of the 1977 Act or (as the case may be) section 70(1A) of the 1978 Act applies.
- (3) The regulations must secure that the amount charged for a particular treatment (or course of treatment) is the same as the amount that would be charged for that treatment (or course of treatment) if it were provided under Part II of the 1977 Act or (as the case may be) Part II of the 1978 Act.
- (4) The regulations may—
 - (a) provide for the amount or the maximum amount of any charge authorised by the regulations to be varied in prescribed circumstances; or
 - (b) give power to direct that the charge is not to be payable.
- (5) If, under a contract or arrangement, a patient receives—
 - (a) services for which a charge is payable under section 78 of the 1977 Act or (as the case may be) section 70 of the 1978 Act, and
 - (b) treatment for which a charge is payable under the regulations,the total charge for those services and that treatment is not to exceed such sum as may be prescribed.
- (6) No charge is to be made under the regulations in respect of treatment provided for any person who, at the time of the making of the contract or arrangement under which the treatment is provided—
 - (a) was under 18;
 - (b) was under 19 and receiving qualifying full-time education;
 - (c) was pregnant; or
 - (d) had given birth within the previous twelve months.
- (7) In subsection (6)(b) “qualifying full-time education” has the same meaning as in Schedule 12 to the 1977 Act or (as the case may be) in Schedule 11 to the 1978 Act.
- (8) The regulations may provide, with respect to any exemption under subsection (6), that it is to be a condition of the exemption that—
 - (a) a declaration of the prescribed kind is made in the prescribed form or manner;or

- (b) a certificate of the prescribed kind is supplied in the prescribed form or manner.