



# National Health Service (Primary Care) Act 1997

## 1997 CHAPTER 46

### PART I

#### PILOT SCHEMES FOR PRIMARY CARE

##### *Preparation and making of pilot schemes*

#### **1 Pilot schemes.**

- (1) In this Act “pilot scheme” means one or more agreements made by an authority with respect to their area and in accordance with this Part under which—
  - (a) personal medical services are provided (otherwise than by the authority); or
  - (b) personal dental services are provided (otherwise than by the authority).
- (2) A pilot scheme may not combine arrangements for the provision of personal medical services with arrangements for the provision of personal dental services.
- (3) A pilot scheme may include arrangements for the provision of services—
  - (a) which are not personal medical services or personal dental services; but
  - (b) which may be provided under Part I of the <sup>M1</sup>National Health Service Act 1977 or (as the case may be) Part I or III of the <sup>M2</sup>National Health Service (Scotland) Act 1978.
- (4) In this Act “piloted services” means services provided in accordance with a pilot scheme (including any services to which the scheme applies by virtue of subsection (3)).
- (5) Except to such extent as may be prescribed—
  - (a) a patient for whom personal medical services are provided under a pilot scheme is not to count as a person for whom arrangements must be made by the authority concerned under section 29 of the 1977 Act or section 19 of the 1978 Act;

*Status: Point in time view as at 01/10/1999. This version of this provision has been superseded.*

**Changes to legislation:** National Health Service (Primary Care) Act 1997, Section 1 is up to date with all changes known to be in force on or before 01 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) a patient for whom personal dental services are provided under a pilot scheme is not to count as a person for whom arrangements must be made by the authority concerned under section 35 of the 1977 Act or section 25 of the 1978 Act.
- (6) Regulations may provide—
- (a) for functions which are exercisable by a Health Authority in relation to a pilot scheme to be exercisable on behalf of the Authority by a Health Board; and
- (b) for functions which are exercisable by a Health Board in relation to a pilot scheme to be exercisable on behalf of the Board by a Health Authority.
- (7) The functions of an NHS trust <sup>[<sup>F1</sup>]</sup>and a Primary Care Trust] include power to provide piloted services, and to do so as a member of a qualifying body (within the meaning of section 2 or 3).
- (8) For the purposes of this Part—
- “authority” means—
- (a) in relation to England and Wales, a Health Authority; and
- (b) in relation to Scotland, a Health Board;
- “personal medical services” means medical services of a kind that may be provided by a general medical practitioner in accordance with arrangements made under Part II of the 1977 Act or (as the case may be) Part II of the 1978 Act; and
- “personal dental services” means dental services of a kind that may be provided by a general dental practitioner in accordance with arrangements made under Part II of the 1977 Act or (as the case may be) Part II of the 1978 Act.

#### Textual Amendments

**F1** Words in s. 1(7) inserted (1.10.1999 for S., 4.1.2000 for E., and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1), **Sch. 4 para. 88(2)**; S.S.I. 1999/90, **art. 2(b)**; S.I. 1999/2342, **art. 2(3)(a)**, **Sch. 2**

#### Modifications etc. (not altering text)

**C1** S. 1: functions of local authority may be responsibility of an executive of the authority (1.4.2000) by virtue of S.I. 2000/695, **reg. 3(2)(b)**, **Sch. 2** (as amended (1.4.2002) by S.I. 2002/555, **reg. 3(2)**)

#### Marginal Citations

**M1** 1977 c. 49.

**M2** 1978 c. 29.

**Status:**

Point in time view as at 01/10/1999. This version of this provision has been superseded.

**Changes to legislation:**

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