



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

^{F2}[^{F1}[^{F2}PART I

PILOT SCHEMES FOR PRIMARY CARE

General

^{F1}[^{F2}[^{F3}**Preferential treatment on transferring to medical lists.**

^{F3}(1) Before the Secretary of State approves a pilot scheme, he must determine whether a participating medical practitioner is to be given preferential treatment under Schedule 1 if he makes an application for his name to be included in [^{F4}the medical list of the relevant body] after ceasing to perform personal medical services under the scheme.

^{F5}[(1A) For the purposes of this section—

- (a) where the authority concerned is a Health Authority or a Health Board, the relevant body is that Authority or Board;
 - (b) where the authority concerned is a Strategic Health Authority, the relevant body is the Primary Care Trust designated in relation to the pilot scheme by the Secretary of State.]
- (2) Before a pilot scheme is varied so as to permit a new medical practitioner to perform personal medical services under the scheme, the Secretary of State must make a determination under this section in relation to the new practitioner.
 - (3) The Secretary of State may at any time make a determination under this section varying a determination about a medical practitioner if he is asked to do so by the practitioner concerned.
 - (4) Before making any determination under this section, the Secretary of State must publish the criteria by reference to which he will make it.

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 13. (See end of Document for details)

- (5) Those criteria may be—
- (a) criteria applying generally to all determinations;
 - (b) criteria applying only to the pilot scheme in question; or
 - (c) a mixture of both.
- (6) The Secretary of State must notify the [^{F6}relevant body] and the medical practitioner or practitioners concerned in writing of any determination made by him under this section.
- (7) Different determinations may be made with respect to different medical practitioners performing personal medical services under the same pilot scheme.
- (8) A determination may identify the medical practitioner or practitioners to which it applies by name or in any other way.
- (9) Schedule 1 has effect in relation to preferential treatment for medical practitioners who wish to transfer to medical lists.]]]]

Textual Amendments

- F1** Pt. I ceases to have effect for specified purposes (S.) (1.4.2004) by virtue of [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), ss. 3, 9\(1\)](#); S.S.I. 2004/58, art. 2(3)
- F2** Pt. I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 178, 199\(1\)\(4\), Sch. 14 Pt. 4](#) Note (with S.I. 2004/865, arts. 1(1), 58); S.I. 2004/288, arts. 4(3)(b), 6(2)(p) (with art. 8) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(p) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345), S.I. 2005/2925, arts. 6(2)(b), 11, S.I. 2006/345, art. 4(2)(b)
- F3** Ss. 11-13 repealed (S.) (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), s. 9\(1\), sch. para. 2\(5\)](#); S.S.I. 2004/58, art. 2(3)
- F4** Words in s. 13(1) substituted (1.10.2002 for E. and W. and otherwise *prosp.*) by 2002 c. 17, ss. 4(3), 42(3), [Sch. 3 Pt. 1 para. 6\(2\)](#); S.I. 2002/2478, [art. 3\(1\)\(c\)](#)
- F5** S. 13(1A) inserted (1.10.2002 for E. and W. and otherwise *prosp.*) by 2002 c. 17, ss. 4(3), 42(3), [Sch. 3 Pt. 1 para. 6\(3\)](#); S.I. 2002/2478, [art. 3\(1\)\(c\)](#)
- F6** Words in s. 13(6) substituted (1.10.2002 for E. and W. and otherwise *prosp.*) by 2002 c. 17, ss. 4(3), 42(3), [Sch. 3 Pt. 1 para. 6\(4\)](#); S.I. 2002/2478, [art. 3\(1\)\(c\)](#)

Commencement Information

- I1** S. 13 wholly in force at 1.4.1998; s. 13 not in force at Royal Assent see s. 41; s. 13 (1)(3)-(8) in force at 15.8.1997 by S.I. 1997/1780, [art. 2\(1\)](#), [Sch.](#); s. 13(2)(9) in force at 1.4.1998 by S.I. 1998/631, [art. 2\(a\)](#), [Sch. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 13.