National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

[F2][F1][F2]PART I

PILOT SCHEMES FOR PRIMARY CARE

General

[F1][F2][F3]13 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.

(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 I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by Health and Social Care (Community Health and Standards) Act 2003 (c.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.