



# Health and Social Care Act 2001

## 2001 CHAPTER 15

### PART 1

#### NATIONAL HEALTH SERVICE

*General and personal medical services, general dental services,  
general ophthalmic services and pharmaceutical services*

#### **18 Out of hours medical services**

- (1) This section applies to arrangements made by—
- (a) a medical practitioner, in connection with any obligation of his to provide general medical services under arrangements under section 29 of the 1977 Act, or
  - (b) any person (the “participant”), in connection with any obligation of his to provide personal medical services under section 28C arrangements,
- under which a person undertakes, or persons undertake, to provide out of hours services.
- (2) Regulations may make provision—
- (a) for such arrangements to be made, in the case of a service provider of a specified description, only if the service provider is approved in accordance with the regulations;
  - (b) for approval to be given, as respects out of hours services provided for persons in the area of any Health Authority, by that Authority or by another Health Authority;
  - (c) as to steps to be taken by any Health Authority for making available information about approvals which have been given;
  - (d) as to the procedure for applying for approval;
  - (e) as to requirements (including requirements imposed by a Health Authority) with which an approved service provider must comply;
  - (f) as to the suspension or withdrawal of any approval;

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*Status: This is the original version (as it was originally enacted).*

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- (g) as to circumstances in which, while the arrangements are in force, there may be transferred to the service provider—
    - (i) liabilities or obligations of the medical practitioner by virtue of Part 2 of the 1977 Act, or
    - (ii) (as the case may be) liabilities or obligations of the participant by virtue of the section 28C arrangements;
  - (h) as to criteria to be applied in making decisions under the regulations;
  - (i) as to appeals against decisions of Health Authorities under the regulations.
- (3) In this section—
- “medical practitioner” has the same meaning as in the 1977 Act;
  - “out of hours period” means any period specified by the regulations as such a period;
  - “out of hours services” means general medical services or personal medical services (as the case may be) provided during part or all of an out of hours period;
  - “section 28C arrangements” means arrangements made under section 28C of the 1977 Act;
  - “service provider”, in relation to arrangements to which this section applies, means the person or persons undertaking to provide out of hours services under the arrangements.