



# National Health Service (Wales) Act 2006

## 2006 CHAPTER 42

### PART 4

#### MEDICAL SERVICES

##### *Other arrangements for the provision of primary medical services*

#### **51 Persons with whom agreements may be made under section 50**

- (1) A Local Health Board may make an agreement under section 50 only with one or more of the following—
- (a) an NHS trust or an NHS foundation trust,
  - (b) a medical practitioner who meets the prescribed conditions,
  - (c) a health care professional who meets the prescribed conditions,
  - (d) an individual who is providing services—
    - (i) under a general medical services contract or a general dental services contract or an English general medical services contract or an English general dental services contract,
    - (ii) in accordance with section 50 arrangements, section 64 arrangements, section 92 arrangements, section 107 arrangements, section 17C arrangements or Article 15B arrangements, or
    - (iii) under section 17J or 25 of the 1978 Act or Article 57 or 61 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I.14)),or has so provided them within such period as may be prescribed,
  - (e) an NHS employee, a section 50 employee, a section 64 employee, a section 92 employee, a section 107 employee, a section 17C employee or an Article 15B employee,
  - (f) a qualifying body,
  - (g) a <sup>F1</sup>... Local Health Board.

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*Changes to legislation: National Health Service (Wales) Act 2006, Section 51 is up to date with all changes known to be in force on or before 17 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) View outstanding changes*

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(2) The power under subsection (1) to make an agreement with a person falling within paragraph (d) or (e) of that subsection is subject to such conditions as may be prescribed.

(3) In this section—

“the 1978 Act” means the National Health Service (Scotland) Act 1978 (c. 29),

“Article 15B arrangements” means arrangements for the provision of services made under Article 15B of the Health and Personal Social Services (Northern Ireland) Order 1972,

“Article 15B employee” means an individual who, in connection with the provision of services in accordance with Article 15B arrangements, is employed by a person providing or performing those services,

“English general dental services contract” means a contract under section 100(2) of the National Health Service Act 2006 (c. 41),

“English general medical services contract” means a contract under section 84(2) of that Act,

“health care professional” means a person who is a member of a profession regulated by a body mentioned (at the time the agreement in question is made) in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17),

“NHS employee” means an individual who, in connection with the provision of services in the health service, the Scottish health service or the Northern Ireland health service, is employed by—

- (a) an NHS trust, an NHS foundation trust or (in Northern Ireland) a Health and Social Services Trust,
- (b) a <sup>F2</sup>... Local Health Board,
- (c) a person who is providing services under a general medical services contract or a general dental services contract or an English general medical services contract or an English general dental services contract,
- (d) an individual who is providing services as specified in subsection (1) (d)(iii),

“the Northern Ireland health service” means the health service within the meaning of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I.14)),

“qualifying body” means a company which is limited by shares all of which are legally and beneficially owned by persons falling within paragraph (a), (b), (c), (d), (e) or (g) of subsection (1),

“the Scottish health service” means the health service within the meaning of the National Health Service (Scotland) Act 1978 (c. 29),

“section 17C arrangements” means arrangements for the provision of services made under section 17C of the 1978 Act,

“section 17C employee” means an individual who, in connection with the provision of services in accordance with section 17C arrangements, is employed by a person providing or performing those services,

“section 92 arrangements” means arrangements for the provision of services made under section 92 of the National Health Service Act 2006 (c. 41),

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“section 107 arrangements” means arrangements for the provision of services made under section 107 of that Act,

“section 92 employee” means an individual who, in connection with the provision of services in accordance with section 92 arrangements, is employed by a person providing or performing those services,

“section 107 employee” means an individual who, in connection with the provision of services in accordance with section 107 arrangements, is employed by a person providing or performing those services,

“section 50 employee” means an individual who, in connection with the provision of services in accordance with section 50 arrangements, is employed by a person providing or performing those services,

“section 64 employee” means an individual who, in connection with the provision of services in accordance with section 64 arrangements, is employed by a person providing or performing those services.

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#### Textual Amendments

- F1** Words in s. 51(1)(g) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 27\(2\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words in s. 51(3) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 21 para. 27\(3\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
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#### Modifications etc. (not altering text)

- C1** S. 51(1): Functions made exercisable by Local Health Boards (1.10.2009) by [The Local Health Boards \(Directed Functions\) \(Wales\) Regulations 2009 \(S.I. 2009/1511\)](#), reg. 4, [Sch.](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 51(1)(d)(ii) words inserted by [2022 c. 31 Sch. 3 para. 55\(2\)\(a\)](#)
- s. 51(1)(e) words inserted by [2022 c. 31 Sch. 3 para. 55\(2\)\(b\)](#)
- s. 51(3) words inserted by [2022 c. 31 Sch. 3 para. 55\(3\)\(a\)](#)
- s. 51(3) words inserted by [2022 c. 31 Sch. 3 para. 55\(3\)\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 201A-201C inserted by [2017 c. 23 s. 9](#)
- s. 201C(2) words substituted by [2018 c. 12 Sch. 19 para. 118\(2\)](#)
- s. 201C(4) inserted by [2018 c. 12 Sch. 19 para. 118\(3\)](#)
- Sch. 7 para. 1(2A) inserted by [2009 c. 21 s. 32\(3\)](#)