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STATUTORY INSTRUMENTS

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**1997 No. 1821**

**NATIONAL HEALTH  
SERVICE, ENGLAND AND WALES  
NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Pilot Schemes: Financial  
Assistance for Preparatory Work) Regulations 1997**

<i>Made</i>	- - - -	<i>25th July 1997</i>
<i>Laid before Parliament</i>		<i>25th July 1997</i>
<i>Coming into force</i>	- -	<i>15th August 1997</i>

The Secretary of State, in exercise of powers conferred on him by sections 18(1) and (3) and 39(2) of the National Health Service (Primary Care) Act 1997<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Pilot Schemes: Financial Assistance for Preparatory Work) Regulations 1997 and shall come into force on 15th August 1997.

(2) In these Regulations, “the Act” means the National Health Service (Primary Care) Act 1997.

**Provision of financial assistance**

2.—(1) An authority may make payments of financial assistance for preparatory work within the meaning of section 18(2)(a) of the Act (funding of preparatory work) in connection with a pilot scheme<sup>(2)</sup> under which personal medical services<sup>(3)</sup> are to be provided.

(2) Such payments may be made only following receipt by the authority of a written application from one or more of the following<sup>(4)</sup>—

- (a) an NHS trust;
- (b) a suitably experienced medical practitioner;

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(1) 1997 c. 46.

(2) “Pilot scheme” is defined in section 1(1) of the Act.

(3) “Personal medical services” is defined in section 1(8) of the Act.

(4) An authority may enter into an agreement with one or more of the persons mentioned (amongst others) which constitutes, or is one of the agreements which together constitute, a pilot scheme. See section 2(2) of the Act.

(c) an NHS employee,  
and shall be made to the applicant.

(3) An application for financial assistance shall specify—

- (a) the purposes for which the applicant intends to use the payment of financial assistance for which he has applied; and
- (b) subject to paragraph (4), the date by which the applicant intends the authority to submit the proposal; in question to the Secretary of State.

(4) Where the Secretary of State has in directions to the authority specified the date (or a number of dates) by which proposals are to be submitted to him, and the authority receives an application which for the purposes of paragraph (3)(b) specifies a different date, the authority must—

- (a) notify the applicant of all dates specified in the directions which have not yet passed; and
- (b) invite the applicant to amend the application so as to specify one of those dates for the purposes of paragraph (3)(b) (being a date which has not yet passed at the time of the amendment);

and until the application is so amended it shall be treated as not having been made.

### **Conditions**

**3.—**(1) An authority which makes a payment of financial assistance to any person under these Regulations shall, on making that payment, require him—

- (a) to use the payment only for the preparatory work specified in his application and, to the extent that it is unused on the relevant date, to return it to the authority; and
- (b) before the end of the period of four months beginning with the relevant date, to provide such information in writing to the authority about the uses to which the payment has been put as the authority may reasonably require;

and a person receiving such a payment shall comply with any conditions which the authority may impose in writing in connection with those requirements.

(2) A person to whom a payment of financial assistance is made who fails to comply with any of the conditions imposed by the authority shall, on demand by the authority, repay the amount of the payment to the authority forthwith.

(3) For the purposes of this regulation “relevant date” means—

- (a) the date referred to in regulation 2(3)(b); or
- (b) if earlier, the date on which an authority submits to the Secretary of State<sup>(5)</sup> proposals in respect of which payments have been made under these Regulations.

*Frank Dobson*  
One of Her Majesty’s Principal Secretaries of  
State,  
Department of Health

25th July 1997

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(5) See section 4(1) of the Act.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations empower Health Authorities in England and Wales and Scottish Health Boards to give financial assistance to persons wishing to participate in a pilot scheme for the provision of personal medical services under the National Health Service (Primary Care) Act 1997. Payments may be made in respect of work reasonably undertaken in connection with the preparation of proposals for the pilot scheme.

The Regulations require authorities to ensure that the money is used only for the preparatory work specified in the application made by the person to whom the assistance is given. A person who is given financial assistance and who fails to comply with any conditions imposed on him pursuant to this requirement must repay the amount of the assistance to the authority.

These Regulations impose no costs on business.