
STATUTORY INSTRUMENTS

2000 No. 89

The Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000 and shall come into force on 8th February 2000.

(2) In these Regulations, unless the context otherwise requires—

“the Act” means the National Health Service Act 1977;

“the 1997 Act” means the National Health Service (Primary Care) Act 1997(1);

“the Executive Committee” means the committee of a Primary Care Trust appointed under regulation 9(1);

“community health services” means any services which the Secretary of State may provide under section 3(1)(d) or (e) of, or Schedule 1 to, the Act and any service which he has a duty to provide under section 5(1) or (1A) of that Act(2);

“health service body” means—

- (a) a Health Authority, Special Health Authority, Primary Care Trust, NHS trust or a pilot scheme health service body;
- (b) a Health Board or Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978(3), or the Scottish Dental Practice Board, the Common Services Agency for the Scottish Health Service or an NHS trust respectively constituted under sections 4, 10 and 12A of that Act;
- (c) the Dental Practice Board constituted under section 37(1) of the Act;
- (d) the Public Health Laboratory Service Board continued in being by section 5(4) and (5) of, and Schedule 3 to, the Act;
- (e) the National Radiological Protection Board established by section 1 of the Radiological Protection Act 1970(4);
- (f) the Commission for Health Improvement established by section 19 of the Health Act 1999(5);

(1) 1997 c. 46.

(2) Section 5(1) was amended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), Schedule 3; section 5(1A) and (1B) was inserted by the 1988 Act, section 10(1); Schedule 1 was amended by the 1988 Act, Schedule 2, paragraph 7 and the Education Act 1996 (c. 56), Schedule 37, paragraph 46.

(3) 1978 c. 29; section 2 was amended by the Health and Social Services and Social Security Adjudication Act 1983 (c. 41), Schedule 7, paragraph 1 and by the 1990 Act, section 28; section 4 was amended by the Health and Medicines Act 1988 (c. 49), section 12(3) and Schedule 3; section 10 was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 2 and the 1990 Act, Schedule 10; section 12A was inserted by the 1990 Act, section 31 and amended by section 46(1) of the 1999 Act.

(4) 1970 c. 46.

(5) 1999 c. 8.

“medical practitioner” means a person providing general medical services under the Act or performing personal medical services in connection with a pilot scheme⁽⁶⁾ under the 1997 Act;

“member”, in relation to a Primary Care Trust, does not include its chairman, and “members” and “membership” shall be construed accordingly;

“nurse” means a nurse, midwife or health visitor registered in accordance with the Nurses, Midwives and Health Visitors Act 1997⁽⁷⁾ who—

- (a) is providing personal medical services or personal dental services under a pilot scheme under the 1997 Act;
- (b) in connection with the provision of personal medical services or personal dental services under a pilot scheme under the 1997 Act, is employed by a person providing or performing those services;
- (c) is employed by a medical practitioner to assist in the provision of general medical services;
- (d) is employed by a dental practitioner to assist in the provision of general dental services; or
- (e) is employed by a Health Authority, a Primary Care Trust or an NHS trust to provide or assist in the provision of community health services;

“non-officer member” means a member of a Primary Care Trust who is not an officer of the trust and is not to be treated as an officer by virtue of regulation 1(3);

“officer member” means a member of a Primary Care Trust who is either an officer of the trust or is to be treated as an officer by virtue of regulation 1(3);

“Part II services” means general medical services, general dental services, general ophthalmic services or pharmaceutical services under the Act;

“pilot scheme health service body” has the meaning given in section 16(6) of the 1997 Act;

“preparatory period” has the meaning given in paragraph 2(2) of Schedule 5A to the Act;

“Primary Care Group” means a committee appointed under regulation 14(1) of the Health Authorities (Membership and Procedure) Regulations 1996⁽⁸⁾, in accordance with the Secretary of State’s directions of 15th October 1998 and exercising functions in accordance with the Secretary of State’s directions of 25th March 1999⁽⁹⁾.

(3) For the purposes of these Regulations, the chairman of a Primary Care Trust’s Executive Committee and any persons nominated by such a committee in accordance with regulation 2(4)(c), if they are not officers of the trust, shall be treated as if they were such officers.

⁽⁶⁾ See section 1 of the National Health Service (Primary Care) Act 1997 (c. 46) for a definition of “pilot scheme”.

⁽⁷⁾ 1997 c. 24.

⁽⁸⁾ S.I. 1996/707 as amended by S.I. 1997/2991, 1998/648 and 1998/2621.

⁽⁹⁾ A copy of the directions may be obtained by writing to the Department of Health, PC-GMS, Room 7E60, Quarry House, Leeds LS2 7UE.