
STATUTORY INSTRUMENTS

2004 No. 1772

**The General Medical Services (Transitional Measure
Relating to Non-Clinical Partners) Order 2004**

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the General Medical Services (Transitional Measure Relating to Non-Clinical Partners) Order 2004 and shall come into force on 3rd August 2004.

(2) This Order applies in relation to England only.

(3) In this Order—

“the 1977 Act” means the National Health Service Act 1977(1);

“default contract” means a contract under article 13 of the General Medical Services Transitional and Consequential Provisions Order 2004(2) (entitlement to a contract under section 176(3) of the Act);

“health care professional” means a person who is a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(3);

“non-clinical partner” means a partner in a partnership who is neither a registered medical practitioner nor a health care professional;

“pilot scheme” means an agreement made under Part 1 of the National Health Service (Primary Care) Act 1997(4);

“relevant non-clinical partner” shall be construed in accordance with article 2; and

“sole practitioner” means a registered medical practitioner who, prior to 1st April 2004, provided services under section 29 of the 1977 Act(5) (arrangements and regulations for general medical services) but not as part of an association of registered medical practitioners who, as a group practice, co-ordinated their respective obligations to provide services under the said section 29.

(1) 1977 c. 49.

(2) S.I.2004/433.

(3) 2002 c. 17.

(4) 1997 c. 46.

(5) Section 29 was repealed on 1st April 2004 but before that repeal it had been amended by: the Health Services Act 1980 (c. 53), section 7; the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; the Medical Act 1983 (c. 54), Schedule 5, paragraph 16(a); S.I.1985/39, article 7; the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 18; the Medical (Professional Performance) Act 1995 (c. 51), the Schedule, paragraph 28; the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraphs 8 and 71, and Schedule 3, Part I; the Health and Social Care Act 2001 (c. 15), section 23, and Schedule 6, Part 1; and the National Health Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 2, paragraph 3, and Schedule 8, paragraph 2.