
STATUTORY INSTRUMENTS

2004 No. 865

**The General Medical Services and Personal Medical Services
Transitional and Consequential Provisions Order 2004**

PART 6

**TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS
RELATING TO OUT OF HOURS ARRANGEMENTS AND SERVICES**

Applications for approval of out of hours arrangements under personal medical services agreements

75.—(1) Where, on or before 31st March 2004, a pilot scheme provider had applied to a relevant body for approval of an out of hours arrangement under regulation 4 of the PMS Out of Hours Regulations but that application had not yet been determined, it shall, if the pilot scheme provider has become a PMS contractor, be treated, on 1st April 2004, as if it were an application made by the PMS contractor under—

- (a) the term of its agreement which gives effect to paragraph 2 of Schedule 6 to the Personal Medical Services Agreements Regulations; or
- (b) the equivalent term deemed to be included in its transitional agreement pursuant to article 60(7),

subject to the modification that the period of 28 days referred to in the term (or deemed term) giving effect to paragraph 2(2) of Schedule 6 to the Personal Medical Services Agreements Regulations shall be treated as beginning with the day on which the relevant body received the application under regulation 4 of the PMS Out of Hours Regulations.

(2) In any application which falls within paragraph (1) any references to the patients of the pilot scheme provider shall be deemed to be references to the patients of the PMS contractor.