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WELSH STATUTORY INSTRUMENTS

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**2004 No. 1016**

The General Medical Services Transitional and  
Consequential Provisions (Wales) (No. 2) Order 2004

**PART 3**

TRANSITIONAL PROVISIONS FOR GENERAL MEDICAL  
SERVICES CONTRACTS WHICH FOLLOW DEFAULT CONTRACTS

**Sub-contracting**

47.—(1) Where—

- (a) on the date on which the default contract ceases to have effect, the default contractor has in place a sub-contract, other than a contract for services with a health care professional for the provision by that professional personally of clinical services, which is in accordance with the terms of the default contract; and
- (b) the general medical services contractor wishes to continue that sub-contract for the period for which it would have continued had the default contract remained in force,

the term of the general medical services contract which gives effect to paragraph 68(1)(b) of Schedule 6 to the 2004 Regulations shall not apply to that sub-contract unless it is extended beyond the date referred to in sub-paragraph (b) or there is a material variation in its terms.

(2) In this article, “health care professional” has the same meaning as in section 28M of the 1977 Act<sup>(1)</sup>.

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(1) Section 28M was inserted in to the 1977 Act by section 172(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43).