

Status: Point in time view as at 01/04/2006.

Changes to legislation: There are currently no known outstanding effects for the Primary Medical Services (Scotland) Act 2004, Cross Heading: National Health Service (Scotland) Act 1978 (c.29). (See end of Document for details)

SCHEDULE MODIFICATION OF ENACTMENTS

National Health Service (Scotland) Act 1978 (c.29)

- 1 (1) The 1978 Act is amended as follows.
- (2) In section 15(1)(a) (supply of goods and services to local authorities etc.)—
- (a) in sub-paragraph (i), for “general medical,” substitute “ primary medical services under a general medical services contract or ”,
 - (b) in sub-paragraph (ii), for “personal medical services” substitute “ primary medical services ”.
- (3) In section 17D(2), after the definition of “section 28C arrangements” the word “and” is repealed.
- (4) Sections 17EA (services lists in relation to section 17C arrangements etc. for personal medical services) and 17EB (application for inclusion in list) are repealed.
- (5) Section 17F (right to choose medical practitioner in relation to primary medical services) is repealed.
- (6) In section 17I (making available by Scottish Ministers of accommodation for use in connection with section 17C arrangements), for “personal medical services” substitute “ primary medical services ”.
- (7) Sections 19 (arrangements etc. in relation to general medical services) to 23 (refusal of application: provision of services adequate) and 24A (liabilities and obligations in relation to deputies) to 24C (application for inclusion in supplementary list) are repealed.
- (8) In section 28(1) (persons authorised to provide pharmaceutical services), for “general medical services” substitute “ primary medical services under Part 1 ”.
- (9) In section 28A(1) (remuneration for provision of Part II services), the words “general medical services,” are repealed.
- (10) In section 28B(6) (Part II remuneration: supplementary), for “sections 19(3) and” substitute “ section ”.
- (11) In section 28C(3) (indemnity cover)—
- ^{F1}(a)
 - (b) in the definition of “Part II services”, the words “general medical services,” are repealed.
- (12) In section 29A (NHS Tribunal: supplementary), subsection (3A) is repealed.
- ^{F2}(13)
- (14) In section 35 (sale of medical practices)—
- (a) in subsection (1)—
 - (i) in paragraph (a) after “1972 or” insert “ (prior to its repeal) section 19 of ”,
 - (ii) in paragraph (b), at the end insert “ (prior to the coming into force of section 2C) ”,
 - (iii) after that paragraph insert “or

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- (c) provided or performed primary medical services in accordance with section 17C arrangements or arrangements under section 2C(2) or under a general medical services contract—
 - (i) in prescribed circumstances; or
 - (ii) if regulations so provide, in all circumstances,”
 - (b) in subsection (2), in the definition of “relevant area”—
 - (i) after “by arrangement” insert “ or contract ”,
 - (ii) for paragraphs (a) and (b) substitute “ provided or performed services as specified in subsection (1) ”.
- (15) Section 40(2)(vaccination and immunisation) is repealed.
- (16) In section 85AA (means of meeting expenditure of Health Boards out of public funds), in subsection (4)—
- (a) in paragraph (a)(ii), for “to (d)” substitute “ or (c) ”,
 - (b) paragraph (d) is repealed.
- (17) In section 108 (interpretation)—
- (a) after the definition of “functions”, insert—
 - ““general medical services contract” has the meaning given in section 17J(2);”
 - (b) the definitions of “medical list” and “personal medical services” are repealed,
 - (c) after the definition of “prescribed” insert—
 - ““primary medical services” is to be construed in accordance with section 2C(5);”
 - (d) the definitions of “services list” and “supplementary list” are repealed.

Textual Amendments

- F1** Sch. para. 1(11)(a) repealed (1.4.2006) by [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#), s. 43(3), [Sch. 3](#); [S.S.I. 2006/121](#), art. 3(b), [Sch. 2](#)
- F2** Sch. para. 1(13) repealed (1.4.2006) by [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#), s. 43(3), [Sch. 3](#); [S.S.I. 2006/121](#), art. 3(b), [Sch. 2](#)

Commencement Information

- I1** Sch. para. 1(1)(14) in force at 13.2.2004 for specified purposes by [S.S.I. 2004/58](#), art. 2(1), [Sch.](#) (with art. 2(2))
- I2** Sch. para. 1(1)(14) in force at 1.4.2004 in so far as not already in force by [S.S.I. 2004/58](#), [art. 2\(3\)](#)
- I3** Sch. para. 1(2)-(13)(15)-(17) in force at 1.4.2004 by [S.S.I. 2004/58](#), [art. 2\(3\)](#)

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