
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2012 No.

The Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012 and come into force on 1st October 2012.

(2) In these Regulations—

“assisted reproduction” means a treatment designed to lead to conception by means other than sexual intercourse;

“authorised provider” means a provider of surgical or medical services in an EEA state (other than the United Kingdom), or Switzerland who is lawfully providing such services in the territory of that state;

“dental practitioner” means a person registered in the dentists register under the Dentists Act 1984(1);

“designated national specialist services” means services which are commissioned by the Common Services Agency(2) on a national basis;

“EEA State”, in relation to any time, means—

- (a) a state which at that time is a member State; or
- (b) any other state which at that time is a party to the agreement on the European Economic Area signed at Oporto on 2nd May 1992, together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993, as modified or supplemented from time to time;

“ophthalmic medical practitioner” means a medical practitioner within the meaning of regulation 2 of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006(3);

“ophthalmic optician” means a person registered in the register of optometrists maintained under section 7 of the Opticians Act 1989(4), or in the register of visiting optometrists from relevant European States maintained under section 8B(1)(a) of that Act, but excluding for the purposes of these Regulations a body corporate registered in the register of bodies corporate maintained under section 9 of that Act carrying on business as an optometrist;

“referring clinician” means the dental practitioner, ophthalmic medical practitioner, ophthalmic optician or registered medical practitioner who referred the patient to the Health Board;

“responsible Health Board” means, subject to regulation 9, the Health Board which agrees the specific treatment with an eligible patient.

(1) 1984 c.24.

(2) The Common Services Agency is constituted under section 10 of the National Health Service (Scotland) Act 1978 (c.29).

(3) S.S.I. 2006/135, to which there are amendments not relevant to these Regulations.

(4) 1989 c.44. Section 7 was amended by S.I. 2005/848; section 8B was inserted by S.I. 2007/3101; section 9 was amended by S.I. 2005/848.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory
Instrument: The Patient Rights (Treatment Time Guarantee) (Scotland) Regulations 2012 No. 110
