
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 163

**The General Medical Services and Section
17C Agreements (Transitional and other
Ancillary Provisions) (Scotland) Order 2004**

PART 8

**TRANSITIONAL PROVISIONS RELATING TO
THE LISTING OF MEDICAL PRACTITIONERS**

Interpretation

85. In this Part—

“the 1997 Act” means the National Health Service (Primary Care) Act 1997(1);

“conditional disqualification” has the meaning indicated in section 29C(1) of the 1978 Act(2), and includes conditions imposed by the Scottish Ministers under section 31(2) of the 1978 Act(3), and “conditionally disqualified” shall be construed accordingly;

“disqualification” means local or national disqualification but does not include conditional disqualification and “disqualified” shall be construed accordingly;

“local disqualification” has the meaning indicated in section 29B(2)(a) of the 1978 Act(4);

“national disqualification” has the meaning indicated in section 29B(2)(b) of the 1978 Act;

“review” means a review under section 30 of the 1978 Act(5);

“section 17C arrangements” means arrangements for the provision of services made under section 17C of the 1978 Act(6);

“supplementary list” means a list of medical practitioners approved by a Health Board to assist in the provision of general medical services prepared and published by the Health Board under regulations made under section 24B of the 1978 Act(7);

(1) 1997 c. 46.

(2) 1978 c. 29. Section 29C(1) was inserted by the Health Act 1999 (c. 8), section 58(1).

(3) Section 31(2) was inserted by the Health Act 1999 (c. 8), Schedule 4, paragraph 49 and amended by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), schedule 2, paragraph 2(8).

(4) Section 29B(2) was inserted by the Health Act 1999 (c. 8), section 58(1) and amended by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), schedule 2, paragraph 2(6) and the [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), schedule, paragraph 1(13).

(5) Section 30 was substituted by the Health Act 1999 (c. 8), section 58(2) and amended by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), schedule 2, paragraph 2(7).

(6) Section 17C was inserted by the National Health Service (Primary Care) Act 1997 (c. 46), section 21(2) and amended by the [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#).

(7) Section 24B was inserted by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), section 18.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“suspended” means suspended by a direction of the Tribunal made pursuant to section 32A(2) or 32B(1) or suspended by virtue of the provisions of section 32D(1) of the 1978 Act⁽⁸⁾, and “suspension” shall be construed accordingly;

“the Tribunal” has the meaning indicated in section 29 of the 1978 Act⁽⁹⁾.

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- (8) Section 32A(2) was inserted by the National Health Service (Amendment) Act 1995 (c. 31) (“the 1995 Act”), section 8 and amended by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 51; Section 32B(1) was inserted by the 1995 Act, section 8 and substituted by the 1999 Act, Schedule 4, paragraph 52; Section 32D(1) was inserted by the 1995 Act, section 8 and amended by the 1999 Act, Schedule 4, paragraph 53 and the Community Care and Health (Scotland) Act (asp 5), schedule 2, paragraph 2(11).
- (9) Section 29 was substituted by the Health Act 1999 (c. 8), section 58(1) and amended by the Community Care and Health (Scotland) Act 2002 (asp 5), schedule 2, paragraph 2(4) and the Primary Medical Services (Scotland) Act 2004 (asp 1), section 5(3).