
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 36

The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012

PART 1

COMMENCEMENT AND INTERPRETATION

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012 and come into force on 1st April 2012.

(2) In these Regulations—

“the 2005 Directions” means the Directions to Health Boards, Special Health Boards and the Agency on Complaints Procedure, made on 31st March 2005 and brought into force on 1st April 2005;

“the Act” means the Patient Rights (Scotland) Act 2011;

“arrangements” means, unless the context otherwise requires, arrangements that are required by virtue of section 15 of the Act;

“relevant complaints procedure” means—

- (a)** any complaints procedure required prior to 1st April 2012 by any of the following provisions—
 - (i)** part 6 of Schedule 5 to the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004**(1)**;
 - (ii)** part 6 of Schedule 1 to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004**(2)**;
 - (iii)** paragraph 11 of Schedule 1 to the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006**(3)**;
 - (iv)** paragraph 12 of Schedule 1 to the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009**(4)**;
 - (v)** paragraph 36 of Schedule 1 to the National Health Service (General Dental Services) (Scotland) Regulations 2010**(5)**;

“responsible body” means a relevant NHS body and a service provider;

“service provider” means any person who provides health services for the purpose of the health service under a contract, agreement or arrangements made under or by virtue of the National Health Service (Scotland) Act 1978;

(1) [S.S.I. 2004/115](#).

(2) [S.S.I. 2004/116](#).

(3) [S.S.I. 2006/135](#). Paragraph 11 was amended by [S.S.I. 2006/329](#) and [2007/193](#).

(4) [S.S.I. 2009/183](#).

(5) [S.S.I. 2010/208](#).

Status: *This is the original version (as it was originally made).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

“writing” includes any communication sent by electronic means if it is received in a form which is legible and capable of being used for subsequent reference.