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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 67**

**The National Health Service (Primary Medical Services  
Section 17C Agreements) (Scotland) Regulations 2018**

**PART 4**

**PROVISION OF PRIMARY MEDICAL SERVICES**

**Provision of primary medical services**

**11.** Whether or not the agreement includes arrangements for the provision of services which are not primary medical services, an agreement must include arrangements for the provision of one or more of the following primary medical services:—

- (a) essential services;
- (b) additional services; and
- (c) enhanced services.

**Primary medical services and content of agreements**

**12.—**(1) An agreement must contain terms which have the same effect as those specified in schedule 1 (content of agreements), unless it is of a type or nature to which a particular provision does not apply, except paragraphs 58(5) to (15), and 59.

(2) The paragraphs specified in paragraph (1) must have effect in relation to matters set out in those paragraphs.

**Essential services and content of agreements**

**13.—**(1) An agreement which includes the provision of essential services must specify—

- (a) the area as respects which persons resident in it will, subject to any other terms of the agreement relating to patient registration, be entitled to—
  - (i) register with the provider; or
  - (ii) seek acceptance by the provider as a temporary resident; and
- (b) whether, at the date on which the agreement comes into force, the provider's list of patients is open or closed.

(2) Where, in accordance with paragraph (1), the agreement specifies that the provider's list of patients is closed it must also specify in relation to that closure each of the items listed in paragraph 19(9)(a) to 19(9)(d) of schedule 2 (agreements to provide essential services).

(3) An agreement which includes the provision of essential services must, in addition to any other terms required by these Regulations, unless it is of a type or nature to which a particular provision does not apply contain terms with the same effect as those specified in schedule 2, except paragraphs 21(5) to 21(7), 25(5) to (9) and 26(3) of that schedule.

(4) The paragraphs specified in paragraph (3) will have effect in relation to matters set out in those paragraphs.

(5) An agreement which does not include the provision of essential services must not specify the matters referred to in paragraph (1) nor contain terms with the same effect as those specified in schedule 2.

#### **Additional services and content of agreements**

**14.** An agreement which includes the provision of additional services must, in addition to any other terms required by these Regulations—

- (a) in relation to all such services included in the agreement, contain a provision which has the same effect as that specified in paragraph 1 of schedule 3;
- (b) in relation to each such service included in the agreement, contain provisions which have the same effect as those specified in schedule 3, which are relevant to that service.