
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 281

The National Health Service (General Medical Services Contracts and Primary Medical Services Section 17C Agreements) (Miscellaneous Amendments) (Scotland) Regulations 2023

Amendments to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018

3. In paragraph 9 (refusal of applications for inclusion in the list of patients or for acceptance as a temporary resident) of part 2 (list of patients) of schedule 2 (agreements to provide essential services) of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018⁽¹⁾—

- (a) in sub-paragraph (2) for “The”, substitute “Subject to sub-paragraph (5), the”,
- (b) after sub-paragraph (4) insert—

“(5) For the purpose of sub-paragraph (2), “reasonable grounds” do not include refusal of an application from a person who—

- (a) at the time of making the application, is detained in a prison, a young offenders institution or the state hospital, and
- (c) will live after their release from detention, in the provider’s practice area.

- (6) For the purpose of sub-paragraph (5)—

“young offenders institution” has the meaning given in section 19(1)(b) of the Prisons (Scotland) Act 1989⁽²⁾, and

“state hospital” has the meaning given in section 102 of the National Health Service (Scotland) Act 1978⁽³⁾.”.

(1) S.S.I. 2018/67. There are amending instruments to these Regulations but none is relevant.

(2) 1989 c. 45. Section 19 was relevantly amended by section 23(1) of the Criminal Justice (Scotland) Act 2003 (asp 7).

(3) Section 102 was relevantly amended by paragraph 3 of schedule 4 of the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13).