



# National Health Service (Primary Care) Act 1997

## 1997 CHAPTER 46

### <sup>F2</sup>[<sup>F1</sup><sup>F2</sup>PART I

#### PILOT SCHEMES FOR PRIMARY CARE

##### *Preparation and making of pilot schemes*

#### <sup>F1</sup>[<sup>F2</sup>3 **Provision of personal dental services under a pilot scheme.**

- (1) This section applies to any pilot scheme under which personal dental services are provided.
- (2) An agreement which constitutes, or is one of the agreements which together constitute, a pilot scheme may be made by an authority only with one or more of the following—
  - (a) an NHS trust;
  - (b) a dental practitioner whose name is included in a dental list;
  - (c) an NHS employee or a pilot scheme employee;
  - (d) a qualifying body;
  - (e) an individual who is providing personal dental services under that or another pilot scheme.
  - <sup>F3</sup>[(f) a Primary Care Trust]
- (3) In this section—

“dental list” means—

  - (a) in relation to England and Wales, a list prepared in accordance with regulations made under section 36(1)(a) of the 1977 Act;
  - (b) in relation to Scotland, a list prepared in accordance with regulations made under section 25(2)(a) of the 1978 Act;

“NHS employee” means an individual who, in connection with the provision of services in the health service, is employed by—

**Changes to legislation:** National Health Service (Primary Care) Act 1997, Section 3 is up to date with all changes known to be in force on or before 06 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) an NHS trust;
- (b) a dental practitioner whose name is included in a dental list; or
- (c) a dental practitioner who is providing personal dental services in accordance with a pilot scheme;

“pilot scheme employee” means an individual who, in connection with the provision of personal dental services in accordance with a pilot scheme, is employed by an individual providing those services;

“qualifying body” means—

- (a) a body corporate which, in accordance with the provisions of Part IV of the <sup>M1</sup>Dentists Act 1984, is entitled to carry on the business of dentistry; or
- (b) a company which is limited by shares all of which are legally and beneficially owned by persons falling within paragraph (a), (b), (c) [<sup>F4</sup>(e) or (f)] of subsection (2).]]

#### Textual Amendments

- F1** Pt. I ceases to have effect for specified purposes (S.) (1.4.2004) by virtue of [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), ss. 3, 9\(1\)](#); S.S.I. 2004/58, art. 2(3)
- F2** Pt. I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 178, 199\(1\)\(4\), Sch. 14 Pt. 4](#) Note (with S.I. 2004/865, arts. 1(1), 58); S.I. 2004/288, arts. 4(3)(b), 6(2)(p) (with art. 8) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(p) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345), S.I. 2005/2925, arts. 6(2)(b), 11, S.I. 2006/345, art. 4(2)(b)
- F3** S. 3(2)(f) inserted (1.10.1999 for S., 4.1.2000 for E., and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1), [Sch. 4 para. 88\(4\)\(a\)](#); S.S.I. 1999/90, [art. 2\(b\)](#); S.I. 1999/2342, art. 2(3)(a), [Sch. 2](#)
- F4** Words in definition of “qualifying body” in s. 3(3)(b) substituted (1.10.1999 for S., 4.1.2000 for E., and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1)(2), [Sch. 4 para. 88\(4\)\(b\)](#); S.S.I. 1999/90, [art. 2\(b\)](#); S.I. 1999/2342, art. 2(3)(a), [Sch. 2](#)

#### Marginal Citations

- M1** 1984 c. 24.

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**Changes and effects yet to be applied to :**

- s. 3(2)(a) repealed by [2004 asp 7 sch. 2](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(a\)\(i\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(a\)\(ii\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(b\)\(i\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(b\)\(ii\)](#)
- s. 3(3) words repealed by [2004 asp 7 sch. 2](#)