



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

^{F2}[^{F1}]^{F2}PART I

PILOT SCHEMES FOR PRIMARY CARE

General

^{F1}[^{F2}9 Relationship between this Part and the 1977 Act.

(1) The provisions of the 1977 Act, apart from section [^{F3}16D] (power of Secretary of State to direct a Health Authority to exercise [^{F3}his functions]), apply in relation to functions of the Secretary of State under this Part (exercisable in relation to England and Wales) as if they were functions of his under Part I of the 1977 Act.

[^{F4}(1A) In subsection (1), the words from “, apart from” to “functions),” have effect only in relation to Wales.]

(2) The 1977 Act (and in particular section 17) has effect in relation to piloted services—
(a) subject to any provision of, or made under, this Part; but
(b) otherwise as if those services were provided as a result of the delegation by the Secretary of State (by directions given under section [^{F5}16D] of the 1977 Act) of functions of his under Part I of that Act.

(3) The functions of a Health Authority in relation to piloted services are primary functions of the Authority for the purposes of the ^{M1}National Health Service and Community Care Act 1990.]]

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\(3\)](#)

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 9. (See end of Document for details)

- 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 I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by Health and Social Care (Community Health and Standards) Act 2003 (c.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** Words in s. 9(1) substituted (1.9.1999 for E., 1.10.1999 for S., and 1.12.1999 for W.) by 1999 c. 8, s. 65(1), **Sch. 4 para. 88(5)(a)**; S.I. 1999/2342, art. 2(1), **Sch. 1**; S.S.I. 1999/90, **art. 2(b)**; S.I. 1999/3184, art. 2(2), **Sch. 2**
- F4** S. 9(1A) inserted (1.10.2002 for E. and W. and otherwise *prosp.*) by 2002 c. 17, **ss. 4(1)**, 42(3); S.I. 2002/2478, **art. 3(1)(a)**
- F5** Words in s. 9(2)(b) substituted (1.9.1999 for E., 1.10.1999 for S., and 1.12.1999 for W.) by 1999 c. 8, s. 65(1), **Sch. 4 para. 88(5)(b)**; S.I. 1999/2342, art. 2(1), **Sch. 1**; S.S.I. 1999/90, **art. 2(b)**; S.I. 1999/3184, art. 2(2), **Sch. 2**

Commencement Information

- I1** S. 9 wholly in force at 1.10.1998; s. 9 not in force at Royal Assent see s. 41; s. 9(1)(2) in force at 15.8.1997 by S.I. 1997/1780, **art. 2(1)**, **Sch. 1**; s. 9(3) in force for certain purposes at 1.4.1998 by S.I. 1998/631, **art. 2(a)**, **Sch. 1**; s. 9 in force at 1.10.1998 in so far as not already in force by S.I. 1998/1998, **art. 2(2)(a)**, **Sch. 1**

Marginal Citations

- M1** 1990 c. 19.

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There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 9.