
STATUTORY INSTRUMENTS

1998 No. 631

**The National Health Service (Primary Care)
Act 1997 (Commencement No. 4) Order 1998**

Transitional provision

4.—(1) Until sections 32 and 33 of the Act are brought into force, paragraphs 1(2)(c) and 2(2) and (4) of Schedule 1 to the Act shall be treated as if they read as provided in this article.

(2) Paragraph 1(2)(c) shall be treated as reading as follows—

“(c) an application made by him for inclusion in the authority’s medical list has not, since then, been granted under section 30 of the 1977 Act or (as the case may be) section 20 of the 1978 Act.”.

(3) Paragraph 2(2) shall be treated as reading as follows—

“(2) Where the authority are under a duty under sub-paragraph (1) in relation to the applicant, neither sections 30 and 33 of the 1977 Act nor (as the case may be) sections 20 and 23 of the 1978 Act applies in relation to him.”.

(4) Paragraph 2(4) shall be treated as reading as follows—

“(4) For the purposes of this paragraph, a person is not eligible for inclusion in a medical list if—

- (a) he has attained the age specified in regulations under section 8 of the Health and Medicines Act 1988 (retirement age for practitioners); or
- (b) he is disqualified, or treated as disqualified, from inclusion in the list by virtue of a direction of the Tribunal constituted under section 46 of the 1977 Act or under section 29 of the 1978 Act, or any corresponding tribunal in Northern Ireland.”.