
STATUTORY INSTRUMENTS

2004 No. 865

**The General Medical Services and Personal Medical Services
Transitional and Consequential Provisions Order 2004**

PART 8

MISCELLANEOUS

Transitory interpretation of references to general medical services contracts

109.—(1) For as long as default contracts entered into pursuant to section 176(3) of the 2003 Act (general medical services: transitional) exist, any reference to a general medical services contract or to a contract under section 28Q of the 1977 Act in the enactments listed in paragraph (2) shall be deemed to include a reference to a default contract.

(2) The enactments referred to in paragraph (1) are—

- (a) the 1977 Act, sections 3(4)(b)(**1**), 26(2)(b) and (4)(aa)(**2**), 28D(1)(bc)(i)(**3**), 45A(3), (4) and (11)(**4**), 54(1)(c)(**5**), 72(5)(d)(**6**);
- (b) the Community Health Councils (Access to Information) Act 1988(**7**), section 1(6), in the paragraph 6B inserted into Schedule 12A to the Local Government Act 1972(**8**);
- (c) the Access to Health Records Act 1990(**9**), section 1(2)(a);
- (d) the Trade Union and Labour Relations (Consolidation) Act 1992(**10**), section 279(2);
- (e) the Health Service Commissioners Act 1993, section 2A(1)(a) and (2)(a)(**11**);
- (f) the Employment Rights Act 1996, section 43K(1)(ba)(**12**);
- (g) the Health and Social Care Act 2001, Schedule 1, paragraph 11(a)(**13**).

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- (1) Section 3(4) was inserted into the Act by paragraph 8 of Schedule 11 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”).
 - (2) Section 26(2)(b) and (4)(aa) were substituted by the 2003 Act, Schedule 11, paragraph 13(2)(b) and (3)(b).
 - (3) Section 28D(bc) was inserted by the 2003 Act, section 177(2).
 - (4) Section 45A was inserted into the Act by paragraph 23 of Schedule 11 to the 2003 Act.
 - (5) Paragraph (c) was inserted into section 54(1) of the Act by paragraph 26(2)(c) of Schedule 11 to the 2003 Act.
 - (6) Paragraph (d) was inserted into section 72(5) of the Act by paragraph 27(2) of Schedule 11 to the 2003 Act.
 - (7) 1988 c. 24. Section 1(6) was amended by the 2003 Act, Schedule 11, paragraph 51.
 - (8) 1972 c. 70.
 - (9) 1990 c. 23. Section 1(2)(a) was substituted by the 2003 Act, Schedule 11, paragraph 57(2).
 - (10) 1992 c. 52. Section 279(2) was inserted by the 2003 Act, Schedule 11, paragraph 59(4).
 - (11) 1993 c. 46. Section 2A was inserted by the Health Service Commissioners (Amendment) Act 1996 (c. 5), section 1 and subsections (1)(a) and (2)(a) were substituted by the 2003 Act, Schedule 11, paragraph 62.
 - (12) 1996 c. 18. Section 43K was inserted by the Public Interest Disclosure Act 1998 (c. 23), section 1 and subsection (1)(ba) was inserted by the 2003 Act, Schedule 11, paragraph 65(2).
 - (13) 2001 c. 15. Paragraph 11 of Schedule 1 was substituted by the 2003 Act, Schedule 11, paragraph 72(2).