
WELSH STATUTORY INSTRUMENTS

2006 No. 358

**The National Health Service (Primary Medical Services)
(Miscellaneous Amendments) (Wales) Regulations 2006**

PART 4

Amendment of regulation 2 of the Performers Lists (Wales) Regulations

15. In regulation 2 (interpretation and modification) of the Performers Lists (Wales) Regulations, after the definition of “notice” insert ““the NPSA” means the National Patient Safety Agency established as a special health authority under section 11;”.

Amendment of regulation 4 of the Performers Lists (Wales) Regulations

16. In regulation 4 (application for inclusion in a performers list) of the Performers Lists (Wales) Regulations—

- (a) in paragraph (3)(d) (application for inclusion in a performers list) for “NCAA” substitute “NPSA”.
- (b) for paragraph (4)(d) and (e) substitute—
 - “(d) has accepted a conditional offer under section 302 of the Criminal Procedure (Scotland) Act 1995(1) (fixed penalty: conditional offer by procurator fiscal) or agreed to pay a penalty under section 115A of the Social Security Administration Act 1992(2) (penalty as alternative to prosecution);
 - (e) has, in proceedings in Scotland for an offence, been the subject of an order under section 246(2) or (3) of the Criminal Procedure (Scotland) Act 1995 discharging him or her absolutely;”.

Amendment of regulation 6 of the Performers Lists (Wales) Regulations

17. In regulation 6 (decisions and grounds for refusal) of the Performers Lists (Wales) Regulations, in paragraph (4)(f), for “to which Part I of the Sexual Offences Act 1997 applies, or if it had been committed in England or Wales, would have applied” substitute “for the purposes of Part 2 of the Sexual Offences Act 2003(3), or if it had been committed in England and Wales, would have been such an offence”.

Amendment of regulation 9 of the Performers Lists (Wales) Regulations

18. In regulation 9 (requirements with which a performer in a performers list must comply) of the Performers Lists (Wales) Regulations, for paragraph (1)(d) and (e) substitute—

(1) 1995 c. 46.
(2) 1992 c. 5; section 115A was inserted by section 15 of the Social Security Administration (Fraud) Act 1997 (c. 47).
(3) 2003 c. 42.

- “(d) has accepted a conditional offer under section 302 of the Criminal Procedure (Scotland) Act 1995⁽⁴⁾ (fixed penalty: conditional offer by procurator fiscal) or agreed to pay a penalty under section 115A of the Social Security Administration Act 1992⁽⁵⁾ (penalty as alternative to prosecution);
- (e) has, in proceedings in Scotland for an offence, been the subject of an order under section 246(2) or (3) of the Criminal Procedure (Scotland) Act 1995 discharging him or her absolutely;”.

Amendment of regulation 11 of the Performers Lists (Wales) Regulations

19. In regulation 11 (criteria for a decision on removal) of the Performers Lists (Wales) Regulations—

- (a) in paragraph (2)(f), for “to which Part I of the Sexual Offences Act 1997 applies, or if it had been committed in England and Wales, would have applied” substitute “for the purposes of Part 2 of the Sexual Offences Act 2003, or if it had been committed in England and Wales, would have been such an offence”.
- (b) In paragraph (6)(e) after “NCAA” insert “on or before 31 March 2005 or thereafter by the NPSA”.

Amendment of regulation 16 of the Performers Lists (Wales) Regulations

20. In regulation 16(2)(g) (notification) of the Performers Lists (Wales) Regulations, for “NCAA” substitute “NPSA”.

Amendment of regulation 20 of the Performers Lists (Wales) Regulations

21. In regulation 20(1)(f) (disclosure of information) of the Performers Lists (Wales) Regulations, for “NCAA” substitute “NPSA”.

(4) 1995 c. 46.

(5) 1992 c. 5; section 115A was inserted by section 15 of the Social Security Administration (Fraud) Act 1997 (c. 47).