

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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

SCHEDULES

SCHEDULE 11

Section 184

PART 4: MINOR AND CONSEQUENTIAL AMENDMENTS

National Health Service (Amendment) Act 1949 (c. 93)

- 1 (1) The National Health Service (Amendment) Act 1949 (which is spent in relation to England and Wales) shall cease to have effect.
- (2) This paragraph extends to England and Wales only.

Commencement Information

- I1** Sch. 11 para. 1 in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(a)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I2** Sch. 11 para. 1 in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(a)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

Health Services and Public Health Act 1968 (c. 46)

- 2 The Health Services and Public Health Act 1968 has effect subject to the following amendments.

Commencement Information

- I3** Sch. 11 para. 2 in force at 1.4.2004 for specified purposes for E. by [S.I. 2004/288](#), **art. 5(2)(b)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I4** Sch. 11 para. 2 in force at 1.4.2004 for specified purposes for W. by [S.I. 2004/480](#), **art. 4(2)(b)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I5** Sch. 11 para. 2 in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), **art. 6(2)(a)**
- I6** Sch. 11 para. 2 in force at 1.4.2006 for E. so far as not already in force by [S.I. 2005/2925](#), **art. 10(2)(a)**

- 3 (1) Section 59 is amended as follows.
- (2) In subsection (1)—
- (a) after “local pharmaceutical services,” insert “ primary medical services, ”;
- (b) after “personal medical services,” insert “ primary dental services, ”.
- (3) In subsection (2), after “1977” insert “ (in the case of pharmaceutical services) ”.
- (4) In subsection (2A), omit “section 28C of the 1977 Act.”.
- (5) After subsection (2B) insert—
- “(2C) In subsection (1), the references to primary medical services and primary dental services are references to primary medical services and primary

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dental services provided under Part 1 of the 1977 Act or any corresponding provisions of the law in force in Northern Ireland or the Isle of Man.”

Commencement Information

- I7** Sch. 11 para. 3(1) in force at 1.4.2004 for specified purposes for E. by [S.I. 2004/288](#), **art. 5(2)(c)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I8** Sch. 11 para. 3(1) in force at 1.4.2004 for specified purposes for W. by [S.I. 2004/480](#), **art. 4(2)(c)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I9** Sch. 11 para. 3(1)(2)(b) in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), **art. 6(2)(a)**
- I10** Sch. 11 para. 3(2)(a)(3)-(5) in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(c)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I11** Sch. 11 para. 3(2)(a)(3)-(5) in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(c)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I12** Sch. 11 para. 3(2)(b) in force at 1.4.2006 for E. by [S.I. 2005/2925](#), **art. 10(2)(a)**

- 4 In section 63(2)—
- (a) after paragraph (a) insert—
 - “(aa) the provision or performance of a primary medical service or primary dental service under Part 1 of the 1977 Act and an activity involved in or connected with the provision or performance of such a service;”;
 - (b) in paragraph (ba), omit “section 28C of the 1977 Act or”.

Commencement Information

- I13** Sch. 11 para. 4 in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(d)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I14** Sch. 11 para. 4 in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(d)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

- 5 In section 64(3)(b), after “make arrangements” insert “ or any service which a Primary Care Trust or Local Health Board is under a duty to provide under section 16CA or 16CC of that Act ”.

Commencement Information

- I15** Sch. 11 para. 5 in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(d)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I16** Sch. 11 para. 5 in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(d)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

Patents Act 1977 (c. 37)

- 6 (1) Section 56(4)(a) of the Patents Act 1977 is amended as follows.
- (2) After “the provision of—” insert—
- “(ai) primary medical services or primary dental services under Part 1 of the National Health Service Act 1977, or any corresponding provisions of the law in force in Northern Ireland or the Isle of Man, or”.

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(3) In sub-paragraph (i), after “1977” insert “ (in the case of pharmaceutical services) ”.

(4) In sub-paragraph (ii), omit “section 28C of the 1977 Act,”.

Commencement Information

I17 Sch. 11 para. 6 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(d)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)

I18 Sch. 11 para. 6 in force at 1.4.2004 for E. by S.I. 2004/288, **art. 5(2)(d)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)

National Health Service Act 1977 (c. 49)

F17

Textual Amendments

F1 Sch. 11 paras. 7-10 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F18

Textual Amendments

F1 Sch. 11 paras. 7-10 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F19

Textual Amendments

F1 Sch. 11 paras. 7-10 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F110

Textual Amendments

F1 Sch. 11 paras. 7-10 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F211

Textual Amendments

F2 Sch. 11 para. 11 brought into force in so far as not already in force and repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by National Health Service (Pre - consolidation Amendments) Order 2006 (S.I. 2006/1407), arts. 1(1), 2, **Sch. 1 para. 13(b)**, **Sch. 2** (with art. 4)

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F3 12

Textual Amendments
F3 Sch. 11 paras. 12-16 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F3 13

Textual Amendments
F3 Sch. 11 paras. 12-16 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F3 14

Textual Amendments
F3 Sch. 11 paras. 12-16 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F3 15

Textual Amendments
F3 Sch. 11 paras. 12-16 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F3 16

Textual Amendments
F3 Sch. 11 paras. 12-16 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F4 17

Textual Amendments
F4 Sch. 11 para. 17 brought into force in so far as not already in force and repealed (1.3.2007 immediately before the [National Health Service Act 2006](#) comes into force) by [National Health Service \(Pre - consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), arts. 1(1), 2, [Sch. 1 para. 13\(b\)](#), [Sch. 2](#) (with [art. 4](#))

F5 18

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Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F519

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F520

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F521

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F522

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F523

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F524

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F525

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F526

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F527

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F528

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F529

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F530

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F531

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F532

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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

Textual Amendments

F5 Sch. 11 paras. 18-32 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

33 (1) Section 98 is amended as follows.

(2) In subsection (1)—

- (a) insert “ and ” at the end of paragraph (dd);
- (b) omit paragraph (e) and the preceding “and”.

(3) In subsection (4)—

- (a) in paragraph (a), omit the words from “, other than” to the end;
- (b) omit paragraph (b).

Commencement Information

I19 Sch. 11 para. 33 in force at 1.4.2006 for E. by [S.I. 2005/2925](#), [art. 10\(2\)\(d\)](#)

F⁶34

Textual Amendments

F6 Sch. 11 para. 34 repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [National Health Service \(Pre - consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), [Sch. 2](#) (with art. 4)

F⁷35

Textual Amendments

F7 Sch. 11 paras. 35-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F⁷36

Textual Amendments

F7 Sch. 11 paras. 35-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F⁷37

Textual Amendments

F7 Sch. 11 paras. 35-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F⁸38

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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*

Textual Amendments
F8 Sch. 11 para. 38 repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [National Health Service \(Pre - consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), [Sch. 2](#) (with art. 4)

F939

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F940

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F941

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F942

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F943

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F944

Textual Amendments
F9 Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F945

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Textual Amendments

- F9** Sch. 11 paras. 39-45 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

National Health Service (Scotland) Act 1978 (c. 29)

- 46 (1) Section 17D of the National Health Service (Scotland) Act 1978 is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (b)(ii), after “arrangements or” insert “ primary medical services in accordance with ”;
 - (b) in paragraph (c)(ii), after “arrangements or” insert “ primary dental services in accordance with ”.
- (3) In subsection (2), in the definition of “NHS employee”—
- (a) in paragraph (b)(ii), after “arrangements or” insert “ primary medical services in accordance with ”;
 - (b) in paragraph (c)(i), for “36(1)(a)” substitute “ 28X ”;
 - (c) in paragraph (c)(ii), after “arrangements or” insert “ primary dental services in accordance with ”.

Commencement Information

- I20** Sch. 11 para. 46(1) in force at 1.4.2004 for specified purposes for E. by [S.I. 2004/288](#), [art. 5\(2\)\(r\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I21** Sch. 11 para. 46(1) in force at 1.4.2004 for specified purposes for W. by [S.I. 2004/480](#), [art. 4\(2\)\(v\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I22** Sch. 11 para. 46(1)(2)(b)(3)(b)(c) in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), [art. 6\(2\)\(j\)](#)
- I23** Sch. 11 para. 46(1)(2)(b)(3)(b)(c) in force at 1.4.2006 for E. by [S.I. 2005/2925](#), [art. 10\(2\)\(g\)](#)
- I24** Sch. 11 para. 46(2)(a)(3)(a) in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(r\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I25** Sch. 11 para. 46(2)(a)(3)(a) in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(v\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

Medical Act 1983 (c. 54)

- 47 The Medical Act 1983 is amended as follows.

Commencement Information

- I26** Sch. 11 para. 47 in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(w\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I27** Sch. 11 para. 47 in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(s\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

- 48 In section 11(4), in the definition of “medical practice”—
- (a) after “practitioners—” insert—

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- “(za) perform primary medical services under Part 1 of the National Health Service Act 1977; or”;
- (b) in paragraph (a), omit “Part II of the National Health Service Act 1977,”;
- (c) in paragraph (b), omit “section 28C of the 1977 Act.”

Commencement Information

- I28** Sch. 11 para. 48 in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(s\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I29** Sch. 11 para. 48 in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(w\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

- 49 In section 12(2)(a), for “general medical services under Part II of the National Health Service Act 1977,” substitute “primary medical services under Part 1 of the National Health Service Act 1977 or general medical services under ”.

Commencement Information

- I30** Sch. 11 para. 49 in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(s\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I31** Sch. 11 para. 49 in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(w\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

Dentists Act 1984 (c. 24)

- 50 In section 40(2) of the Dentists Act 1984, after paragraph (a) insert—
- “(aa) by a person providing primary dental services under section 28C of the National Health Service Act 1977 or under a contract under section 28K of that Act, or”.

Commencement Information

- I32** Sch. 11 para. 50 in force at 1.4.2006 for E. by [S.I. 2005/2925](#), [art. 10\(2\)\(h\)](#)
- I33** Sch. 11 para. 50 in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), [art. 6\(2\)\(k\)](#)

Community Health Councils (Access to Information) Act 1988 (c. 24)

- 51 In section 1(6) of the Community Health Councils (Access to Information) Act 1988, in the paragraph 6B inserted into Schedule 12A of the Local Government Act 1972 (c. 70)—
- (a) after paragraph (a) insert—
 - “(aa) any particular person who is or was formerly included in, or is an applicant for inclusion in, a list under section 28X of that Act; or
 - (ab) any particular person who is or was formerly providing services under a contract under section 28K or section 28Q of that Act; or”;
 - (b) in paragraph (b), for “such a person” substitute “ a person mentioned in paragraphs (a) to (ab) above ”.

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Commencement Information

- I34** Sch. 11 para. 51 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(x)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I35** Sch. 11 para. 51 in force at 1.4.2004 for E. by S.I. 2004/288, **art. 5(2)(t)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)

Copyright, Designs and Patents Act 1988 (c. 48)

- 52 In section 240(4) of the Copyright, Designs and Patents Act 1988—
- (a) after “providing—” insert—
 - “(za) primary medical services or primary dental services under Part 1 of the National Health Service Act 1977”;
 - (b) in paragraph (a)(i), after “1977” insert “ (in the case of pharmaceutical services) ”;
 - (c) omit paragraph (b)(i).

Commencement Information

- I36** Sch. 11 para. 52 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(x)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I37** Sch. 11 para. 52 in force at 1.4.2004 for E. by S.I. 2004/288, **art. 5(2)(t)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)

Health and Medicines Act 1988 (c. 49)

- 53 The Health and Medicines Act 1988 has effect subject to the following amendments.

Commencement Information

- I38** Sch. 11 para. 53 in force at 1.4.2004 for specified purposes for W. by S.I. 2004/480, **art. 4(2)(y)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I39** Sch. 11 para. 53 in force at 1.4.2004 for specified purposes for E. by S.I. 2004/288, **art. 5(2)(u)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)
- I40** Sch. 11 para. 53 in force at 1.4.2006 for E. by S.I. 2005/2925, **art. 10(2)(i)**

- 54 In section 12(1)—
- (a) omit “The Dental Estimates Board shall be renamed as “the Dental Practice Board” and”;
 - (b) in paragraph (a), omit “for any reference to the Dental Estimates Board there were substituted a reference to the Dental Practice Board and”;
 - (c) in paragraph (b)—
 - (i) omit “the Dental Estimates Board or”;
 - (ii) for “either or both of those Boards” substitute “ that Board ”, and
 - (iii) omit “the Dental Practice Board and”.

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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*

Commencement Information

I41 Sch. 11 para. 54 in force at 1.4.2006 for E. by [S.I. 2005/2925](#), [art. 10\(2\)\(i\)](#)

- 55 In section 17(1)—
- (a) omit “29, 36”;
 - (b) for “39 or 42” substitute “ 38, 39, 41 or 42 ”.

Commencement Information

I42 Sch. 11 para. 55 in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(y\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

I43 Sch. 11 para. 55 in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(u\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

National Health Service and Community Care Act 1990 (c. 19)

- 56 (1) Section 18 of the National Health Service and Community Care Act 1990 is amended as follows (for so long as it has effect).
- (2) In subsection (1), for “Health Authority”, in each place, substitute “ Local Health Board ”.
- (3) In subsection (3), for paragraphs (a) and (b) substitute—
- “(a) a person or body who has entered into a contract under section 28Q of the principal Act, otherwise than in partnership; or
 - (b) two or more individuals practising in partnership who together have entered into such a contract.”.
- (4) In subsections (4) and (5), for “Health Authority”, in each place, substitute “ Local Health Board ”.
- (5) At the end insert—
- “(9) In this section, references to the “relevant” Primary Care Trust or Local Health Board, in relation to a practice, are to the Primary Care Trust or Local Health Board with which it has entered into a contract under section 28Q of the principal Act.”

Commencement Information

I44 Sch. 11 para. 56 in force at 1.4.2004 for W. by [S.I. 2004/480](#), [art. 4\(2\)\(z\)](#) (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))

I45 Sch. 11 para. 56 in force at 1.4.2004 for E. by [S.I. 2004/288](#), [art. 5\(2\)\(v\)](#) (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

Access to Health Records Act 1990 (c. 23)

- 57 (1) The Access to Health Records Act 1990 is amended as follows.
- (2) In section 1, in subsection (2), for paragraph (a) substitute—

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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) in the case of a record made by a health professional performing primary medical services under a general medical services contract made with a Primary Care Trust or Local Health Board, the person or body who entered into the contract with the Trust or Board (or, in a case where more than one person so entered into the contract, any such person);
- (aa) in the case of a record made by a health professional performing such services in accordance with arrangements under section 28C of that Act with a Primary Care Trust, Strategic Health Authority or Local Health Board, the person or body which made the arrangements with the Trust, Authority or Board (or, in a case where more than one person so made the arrangements, any such person);”.
- (3) In that subsection, in paragraph (b), after “by a health service body” insert “ (and not falling within paragraph (aa) above) ”.
- (4) In section 7—
- (a) in subsection (2), omit the words from “(other” to “section 1(2)(a) above);”;
- and
- (b) omit subsection (3).
- (5) In section 11—
- (a) at the appropriate place, insert—
- ““general medical services contract” means a contract under section 28Q of the National Health Service Act 1977;”;
- (b) omit the definition of “general practitioner”.
- (6) This paragraph extends to England and Wales only.

Commencement Information

- I46** Sch. 11 para. 57 in force at 1.4.2004 for E. by S.I. 2004/288, art. 5(2)(v) (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)
- I47** Sch. 11 para. 57 in force at 1.4.2004 for W. by S.I. 2004/480, art. 4(2)(z) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)

Water Industry Act 1991 (c. 56)

- 58 In Schedule 4A to the Water Industry Act 1991, for paragraph 7 substitute—
- “7 Premises not falling within paragraph 5 or 6 above which are used for the provision of primary medical services or primary dental services under Part 1 of the National Health Service Act 1977.”

Commencement Information

- I48** Sch. 11 para. 58 in force at 1.4.2004 for E. by S.I. 2004/288, art. 5(2)(v) (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)
- I49** Sch. 11 para. 58 in force at 1.4.2004 for W. by S.I. 2004/480, art. 4(2)(z) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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*

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 59 (1) Section 279 of the Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.
- (2) In paragraph (a), omit “28C, 29, 35”.
- (3) Renumber the existing provision as subsection (1).
- (4) After that provision insert—
- “(2) In this Act “worker” also includes an individual regarded in his capacity as one who works or normally works or seeks to work as a person performing primary medical services or primary dental services—
- (a) in accordance with arrangements made by a Primary Care Trust, Strategic Health Authority or Local Health Board under section 28C of the National Health Service Act 1977; or
- (b) under a contract under section 28K or 28Q of that Act entered into by him with a Primary Care Trust or Local Health Board,
- and “employer” in relation to such an individual, regarded in that capacity, means that Trust, Authority or Board.”

Commencement Information

- I50** Sch. 11 para. 59 in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(z)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I51** Sch. 11 para. 59 in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(v)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

Health Service Commissioners Act 1993 (c. 46)

- 60 The Health Service Commissioners Act 1993 has effect subject to the following amendments.

Commencement Information

- I52** Sch. 11 para. 60 in force at 1.4.2004 for specified purposes for W. by [S.I. 2004/480](#), **art. 4(2)(aa)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I53** Sch. 11 para. 60 in force at 1.4.2004 for specified purposes for E. by [S.I. 2004/288](#), **art. 5(2)(w)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I54** Sch. 11 para. 60 in force at 1.4.2006 for E. by [S.I. 2005/2925](#), **art. 10(2)(j)**

- 61 In section 2—
- (a) in subsection (1)(c), for the words from “exercising” to the end substitute “not exercising functions only or mainly in Wales”;
- ^{F10}(b)

Textual Amendments

- F10** Sch. 11 para. 61(b) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 7](#); [S.I. 2005/2800](#), **art. 5(1)(3)**

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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

Commencement Information

- I55** Sch. 11 para. 61 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(aa)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I56** Sch. 11 para. 61 in force at 1.4.2006 for E. by S.I. 2005/2925, **art. 10(2)(j)**

62 (1) Section 2A is amended as follows.

(2) In subsection (1)—

(a) for paragraph (a) substitute—

“(a) persons (whether individuals or bodies) providing services under a contract entered into by them with a Primary Care Trust under section 28K or 28Q of the National Health Service Act 1977”;

(b) in paragraph (c), for “personal”, in both places, substitute “primary”.

^{F11}(3)

Textual Amendments

- F11** Sch. 11 para. 62(3) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 7**; S.I. 2005/2800, **art. 5(1)(3)**

Commencement Information

- I57** Sch. 11 para. 62 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(aa)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I58** Sch. 11 para. 62 in force at 1.4.2004 for E. by S.I. 2004/288, **art. 5(2)(w)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)

63 In section 6(5)—

(a) omit “29, 36”;

(b) for “39 or 42” substitute “ 38, 39, 41 or 42 ”.

Commencement Information

- I59** Sch. 11 para. 63 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(aa)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I60** Sch. 11 para. 63 in force at 1.4.2004 for E. by S.I. 2004/288, **art. 5(2)(w)** (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)

64 In section 18(1), after “partly” insert “ or wholly ”.

Commencement Information

- I61** Sch. 11 para. 64 in force at 1.4.2004 for W. by S.I. 2004/480, **art. 4(2)(aa)** (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)
- I62** Sch. 11 para. 64 in force at 1.4.2006 for E. by S.I. 2005/2925, **art. 10(2)(j)**

Employment Rights Act 1996 (c. 18)

65 (1) Section 43K of the Employment Rights Act 1996 is amended as follows.

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(2) In subsection (1), after paragraph (b) insert—

“(ba) works or worked as a person performing services under a contract entered into by him with a Primary Care Trust or Local Health Board under section 28K or 28Q of the National Health Service Act 1977,”.

(3) In subsection (2), after paragraph (a) insert—

“(aa) in relation to a worker falling within paragraph (ba) of that subsection, the Primary Care Trust or Local Health Board referred to in that paragraph,”.

Commencement Information

- I63** Sch. 11 para. 65 in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(bb)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I64** Sch. 11 para. 65 in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(x)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))

Education Act 1996 (c. 56)

66 In section 520(1) of the Education Act 1996, for “(1A)” substitute “16CB”.

Commencement Information

- I65** Sch. 11 para. 66 in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), **art. 6(2)(l)**
- I66** Sch. 11 para. 66 in force at 1.4.2006 for E. by [S.I. 2005/2925](#), **art. 10(2)(k)**

Health Act 1999 (c. 8)

67 In Schedule 3 to the Health Act 1999, in paragraph 11(2)—

- (a) in sub-paragraph (c), for the words from “provide” to “under” substitute “perform primary medical services under Part 1 of”;
- (b) in sub-paragraph (d), for the words from “provide” to “under” substitute “perform primary dental services under Part 1 of”.

Commencement Information

- I67** Sch. 11 para. 67(a) in force at 1.4.2004 for W. by [S.I. 2004/480](#), **art. 4(2)(bb)** (with [arts. 6, 7](#)) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- I68** Sch. 11 para. 67(a) in force at 1.4.2004 for E. by [S.I. 2004/288](#), **art. 5(2)(x)** (with [arts. 7, 8](#)) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#))
- I69** Sch. 11 para. 67(b) in force at 1.4.2006 for E. by [S.I. 2005/2925](#), **art. 10(2)(l)**
- I70** Sch. 11 para. 67(b) in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), **art. 6(2)(m)**
- I71** Sch. 11 para. 67(b) in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), **art. 1(1)**, **Sch. 1 para. 13** (with [art. 4](#))

Freedom of Information Act 2000 (c. 36)

68 In Schedule 1 to the Freedom of Information Act 2000, in Part 3, before paragraph 44 insert—

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“43A Any person providing primary medical services or primary dental services—
(a) in accordance with arrangements made under section 28C of the National Health Service Act 1977; or
(b) under a contract under section 28K or 28Q of that Act;
in respect of information relating to the provision of those services.”

Commencement Information

- F12** Sch. 11 para. 68 in force at 17.1.2005 for E. by [S.I. 2005/38](#), [art. 2\(c\)](#) (with [art. 3](#))
- F13** Sch. 11 para. 68 in force at 1.4.2006 for specified purposes for W. by [S.I. 2006/345](#), [art. 6\(2\)\(n\)](#)
- F14** Sch. 11 para. 68 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), [Sch. 1 para. 13](#) (with [art. 4](#))

Health and Social Care Act 2001 (c. 15)

F12⁶⁹

Textual Amendments

- F12** [Sch. 11 paras. 69-74](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F12⁷⁰

Textual Amendments

- F12** [Sch. 11 paras. 69-74](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F12⁷¹

Textual Amendments

- F12** [Sch. 11 paras. 69-74](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F12⁷²

Textual Amendments

- F12** [Sch. 11 paras. 69-74](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F12⁷³

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003, SCHEDULE 11 is up to date with all changes known to be in force on or before 06 May 2024. 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*

Textual Amendments

- F12** Sch. 11 paras. 69-74 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

National Health Service Reform and Health Care Professions Act 2002 (c. 17)

- 74 (1) Section 17 of the National Health Service Reform and Health Care Professions Act 2002 is amended as follows.
- (2) In subsection (1)—
- (a) after paragraph (f) insert—
- [^{F13}“(fb) persons providing primary medical services, primary dental services or primary ophthalmic services under Part 1 of the 1977 Act,”]; and
- (b) in paragraph (g), omit the words from “or under” to “that Act”.
- (3) In subsection (2), for “(1)(g)” substitute “(1)(fa), (g)”.

Textual Amendments

- F13** Sch. 11 para. 74(2)(a) amended by 2002 c. 17, s. 17(1)(fa) (as substituted (1.8.2008) by [Health Act 2006 \(c. 28\)](#), s. 83(7), [Sch. 8 para. 50\(a\)](#); S.I. 2008/1972, art. 2(b))

Commencement Information

- I75** Sch. 11 para. 74 in force at 1.4.2004 for E. by S.I. 2004/288, [art. 5\(2\)\(z\)](#) (with arts. 7, 8) (as amended by S.I. 2004/866 and S.I. 2005/2925)
- I76** Sch. 11 para. 74 in force at 1.4.2004 for W. by S.I. 2004/480, [art. 4\(2\)\(dd\)](#) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345)

Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 11 para. 33 repealed by [2006 c. 28 Sch. 9](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(7)(i) modified (temp.) by [S.I. 2005/2925 art. 3\(1\)\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Art. 3 of the affecting S.I. was revoked (20.3.2006) by [S.I. 2006/836](#), art. 3)