

*Status: Point in time view as at 03/03/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Tobacco and Primary Medical Services (Scotland) Act 2010, SCHEDULE 2. (See end of Document for details)*

## SCHEDULE 2

(introduced by section 41)

### MINOR AND CONSEQUENTIAL MODIFICATIONS

#### PART 1

##### TOBACCO PRODUCTS ETC.

###### *Children and Young Persons (Scotland) Act 1937 (c.37)*

1 Section 18 of the Children and Young Persons (Scotland) Act 1937 is repealed.

###### *Children and Young Persons (Protection from Tobacco) Act 1991 (c.23)*

2 The Children and Young Persons (Protection from Tobacco) Act 1991 is amended as follows—

- (a) sections 2 and 4 are repealed,
- (b) in section 6—
  - (i) in subsection (1)(a), for the word from “18” to “4” substitute “ 3 ”,
  - (ii) in subsection (2), for “provisions” substitute “ provision ”,
  - (iii) in subsection (2)(a), for “those provisions” substitute “ that provision ”,
  - (iv) in subsection (2)(b), for “those provisions” substitute “ that provision ”,
  - (v) subsection (2)(c) is repealed,
- (c) in section 8—
  - (i) in subsection (3), the words “or 2” are repealed,
  - (ii) in subsection (4), the words “or 2” are repealed,
  - (iii) in subsection (5), in the definition of “the relevant provision”, paragraph (b) is repealed.

###### *Tobacco Advertising and Promotion Act 2002 (c.36)*

3 In section 6(1)(a) of the Tobacco Advertising and Promotion Act 2002 (c.36), the words “, or fixed to the outside of the premises of,” are repealed.

4 In section 8 of that Act—

- (a) in subsection (1), the words “in a place or” are repealed,
- (b) subsection (3) is repealed.

###### *Smoking, Health and Social Care (Scotland) Act 2005 (asp 13)*

5 Section 9 of the Smoking, Health and Social Care (Scotland) Act 2005 is repealed.

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## PART 2

### PRIMARY MEDICAL SERVICES

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

- 6 (1) Section 17D of the National Health Service (Scotland) Act 1978 is amended as follows—
- (a) in subsection (1), after “section 17C” insert “ under which personal dental services are provided ”,
  - (b) in subsection (1)(b), for “in the case of an agreement under which primary medical services are provided” substitute “ a company which is limited by shares all of which are legally and beneficially owned by persons falling within the following sub-paragraphs and paragraphs (c) to (d) ”,
  - (c) in subsection (1)(c)—
    - (i) the words “in the case of an agreement under which personal dental services are provided” are repealed, and
    - (ii) sub-paragraphs (i) and (ii) become paragraphs (c) and (ca) respectively of subsection (1),
  - (d) in subsection (1)(d)—
    - (i) after “section 17C employee,” insert “ or ”,
    - (ii) the words “or (in the case of an agreement under which primary medical services are provided) an Article 15B employee” are repealed,
  - (e) subsections (1A) and (1B) are repealed,
  - (f) in subsection (2), in the definition of “qualifying body”—
    - (i) paragraph (a) and the words “and also” immediately following it are repealed,
    - (ii) in paragraph (b), the words “in the case of an agreement under which person dental services are provided,” are repealed.
- (2) In the section title of section 17D of that Act, for “Persons” substitute “ Personal dental services: persons ”.

#### *Primary Medical Services (Scotland) Act 2004 (asp 1)*

- 7 In section 2(3) of the Primary Medical Services (Scotland) Act 2004, paragraph (c) is repealed.

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