

## SCHEDULE

### MODIFICATION OF ENACTMENTS

#### **Access to Health Records Act 1990 (c. 23)**

- 3.**—(1) The Access to Health Records Act 1990 is amended as follows—
- (2) In section 1(2) (“Health record” and related expressions)**(1)**, for paragraph (a) substitute—
- “**(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 Health Board, the person who entered into the contract with the Board;
- (aa)** in the case of a record made by a health professional performing such services in accordance with arrangements under section 17C of the National Health Service (Scotland) Act 1978 with a Health Board, the person who made the arrangements with the Board;”.
- (3) In section 1(2)(b), after “by a health service body” insert “(and not falling within paragraph (aa) above)”.
- (4) In section 7 (duty of health service bodies etc. to take advice)**(2)**—
- (a)** in subsection (2), omit the words from “(other” to “section 1(2)(a) above”); and
- (b)** omit subsection (3).
- (5) In section 11(interpretation)**(3)**—
- (a)** in the appropriate place, insert—
- ““general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978”; and
- (b)** omit the definition of “general practitioner”.

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(1) Relevant amendments to section 1(2) were made by the National Health Service (Primary Care) Act 1997(c. 46)(“the 1997 Act”), Schedule 2, paragraph 66(2).

(2) Relevant amendments to section 7 were made by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 119(3)(b) and (c).

(3) Relevant amendments to section 11 were made by the 1997 Act, Schedule 2, paragraph 66(3).