
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 72

**The National Health Service (Personal
Medical Services) (Scotland) Regulations 2001**

PART V

MISCELLANEOUS

Parties treated as health service bodies

12.—(1) In the case of an agreement entered into, or to be entered into, by any person or body, that person or body may make an application in accordance with this regulation to become a health service body for the purposes of section 17A of the 1978 Act.

(2) An application under paragraph (1) shall be made in writing to the Scottish Ministers and shall include the name and address of each applicant.

(3) A copy of such application shall be sent by the applicant to the Health Board with which an agreement has been entered into or is to be entered into.

(4) If an application is granted the Scottish Ministers must specify when it is to come into effect and, as from that time, the applicant shall be a health service body for the purposes of section 17A of the 1978 Act.

(5) The grant of an application does not affect the nature of, or any rights or liabilities arising under, any contract entered into by an applicant before the date on which the application comes into effect.

(6) The person or body to whom the status of health service body has been granted shall cease to be a health service body—

- (a) upon withdrawal from an agreement pursuant to regulation 4; or
- (b) upon termination of an agreement; or
- (c) upon that person or body giving notice in writing to the Scottish Ministers and to the Health Board with which an agreement has been entered into or is to be entered into that they have decided to cease to be a health service body.