
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 116

**The National Health Service (Primary Medical Services
Section 17C Agreements) (Scotland) Regulations 2004**

PART 9

TRANSITIONAL PROVISIONS

Out of hours services

26. Subject to paragraph 1 of Schedule 4, where a party to the agreement to provide essential services is a person who, on 31st March 2004, was providing personal medical services under section 17C of the Act, the agreement under which services are to be provided before 1st January 2005 (whether or not such services will be provided after that date) must provide for services which would be essential services, if provided in core hours, to be provided throughout the out of hours period unless—

- (a) the Health Board has accepted in writing, prior to the signing of the agreement, a written request from the provider that the agreement should not require the provider to make such provision; or
- (b) the agreement has been otherwise varied to exclude a requirement to make such provision.