
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes certain saving provisions in consequence of the Community Care and Health (Scotland) Act 2002 (“the 2002 Act”).

The 2002 Act makes amendments to certain provisions of the National Health Service (Scotland) Act 1978 (“the 1978 Act”) and the National Health Service (Primary Care) Act 1997 (“the 1997 Act”) which relate to representations to the NHS Tribunal regarding the disqualification of practitioners who provide services under Part II of the 1978 Act, or who have preferential rights of transfer to medical lists. Some of these amendments are commenced on 4th March 2004 and others on 1st April 2004 by article 2 of the Community Care and Health (Scotland) Act 2002 (Commencement No. 3) Order 2004 ([S.S.I. 2004/33](#)).

This Order provides that, in relation to representations made to the Tribunal before 4th March 2004, those provisions of the 1978 and the 1997 Acts shall continue to apply on and after that date as if those amendments had not been made. The provisions of the 1978 and 1997 Acts in question relate to representations to, and powers of, the NHS Tribunal, including in relation to applications for interim suspension and suspension pending appeal