

2007 No. 393

NATIONAL HEALTH SERVICE

**The National Health Service (Primary Medical Services
Section 17C Agreements) (Scotland) Amendment (No. 2)
Regulations 2007**

Made - - - - *5th September 2007*

Laid before the Scottish Parliament *6th September 2007*

Coming into force - - *1st October 2007*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 17E, 28(1), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Amendment (No. 2) Regulations 2007 and come into force on 1st October 2007.

Amendment of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004

2.—(1) The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004(b) are amended as follows.

(2) In regulation 2(1) (interpretation)(c), for the definition of “the 2007 Regulations,” substitute “the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007(d).”

(a) 1978 c.29; section 17E was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 22(2) and amended by the Health Act 1999 (c.8), Schedule 4, paragraph 47, and the Primary Medical Services (Scotland) Act 2004 (asp 1), section 2(4); section 28 was amended by the National Health Service (Amendment) Act 1986 (c.66), section 3(4) and the National Health Service and Community Care Act 1990 (c.18), Schedule 9, paragraph 19(8); section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, Part I, paragraph 24 and the Health Act 1999 (c.8), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2004/116 as amended by S.S.I. 2004/162, 2004/217, 2005/336, 2006/248, S.I. 2007/289 and S.S.I. 2007/205.

(c) Regulation 2 was amended by S.S.I. 2004/217, 2005/336, 2006/248, S.I. 2007/289, and S.S.I. 2007/205.

(d) S.S.I. 2007/389.

(3) In sub-paragraphs (10) and (11) of paragraph 15 (provision of dispensing services) of Schedule 1(a) for “(f)” substitute “(g)”.

SHONA ROBISON

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
5th September 2007

(a) Schedule 1, paragraph 15(10) and (11) was amended by S.S.I. 2007/205.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004 (“the principal Regulations”) which regulate the provision of primary medical services under agreements under section 17C of the National Health Service (Scotland) Act 1978.

Regulation 2(2) amends regulation 2 of the principal Regulations by replacing the definition of “the 2007 Regulations,” as a consequence of the revocation of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2007 and their replacement by the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007.

Regulation 2(3) amends paragraph 15(10) and (11) of Schedule 1 to the principal Regulations as a consequence of the insertion of a new category of exemption from charges in sub-paragraph (g) of regulation 7(1) of the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007.

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