

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2007 No. 413**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Primary  
Medical Services Performers Lists) (Scotland)  
Amendment (No. 2) Regulations 2007**

<i>Made</i>	- - - -	<i>5th September 2007</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>6th September 2007</i>
<i>Coming into force</i>	- -	<i>1st October 2007</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 17P, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1) 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 Performers Lists) (Scotland) Amendment (No. 2) Regulations 2007 and come into force on 1st October 2007.

**Amendment of the National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004**

2.—(1) The National Health Service (Primary Medical Services Performer Lists) (Scotland) Regulations 2004(2) are amended as follows.

(2) In regulation 2 (interpretation)(3), for the definition of “the 2007 Regulations” substitute “the National Health Service (Charges for Drugs and Appliances) (Scotland) (No. 2) Regulations 2007(4).”

- 
- (1) 1978 c. 29; Section 17P was inserted by the [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), section 5(2) and extended by the Health and Medicines Act 1988 (c. 49), section 17 (as amended by [S.S.I. 2004/167](#)); section 105(7), which contains provisions relevant to the making of these Regulations, was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24 and by 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).
- (2) [S.S.I. 2004/114](#), as amended by [S.S.I. 2004/216](#), [2005/333](#), [2006/136](#) and [2007/207](#).
- (3) Regulation 2 was amended by [S.S.I. 2005/333](#), [2006/136](#) and [2007/207](#).
- (4) [S.S.I. 2007/389](#).

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(3) In paragraph 3(f) of Schedule 1 (information, declarations, and undertakings to be included in an application for inclusion in a primary medical services performers' list)<sup>(5)</sup> for “(f)” substitute “(g)”.

St Andrew's House,  
Edinburgh  
5th September 2007

*SHONA ROBISON*  
Authorised to sign by the Scottish Ministers

---

(5) paragraph 3(f) was amended by [S.S.I. 2007/207](#).

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004 (“the principal Regulations”).

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 3(f) 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.