

SCHEDULE 8

Regulation 30

CONSEQUENTIAL AMENDMENTS

The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013

1.—(1) The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013⁽¹⁾ is amended as follows.

(2) In schedule 3—

- (a) In paragraph 8(c), for “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”; and
- (b) In paragraph 11 for “The amendment made by paragraph 71(1) and (3) of Schedule 2 does not affect the duty of a provider under paragraph 52 of schedule 1 to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004 to co-operate with any investigation of a complaint which is begun by a Primary Care Trust and which continues to be investigated after 31st March 2013.” substitute “The absence of reference to ‘Primary Care Trusts’ from the definition of “NHS Body” in paragraph 55 of schedule 1 of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 does not affect the duty of a provider under that paragraph to co-operate with any investigation of a complaint begun by a Primary Care Trust and which continues to be investigated after 31st March 2013”.

The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004

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

(2) In regulation 2 (interpretation), in the definition of “Section 17C Agreements Regulations”, for “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “the National Health Service (Primary Medical Services Section 17C Agreement) (Scotland) Regulations 2018”.

(3) In schedule 1—

- (a) in paragraph 3(c) for the words “paragraph 78 (gifts) of Schedule 1 (content of agreements)” substitute “paragraph 82 of schedule 1”; and
- (b) in paragraph 3(d), for the words “paragraph 78 (gifts) of Schedule 1 (content of agreements)” substitute “paragraph 82 of schedule 1”.

The General Medical Services and Section 17C Agreements (Transitional and other Ancillary Provisions) (Scotland) Order 2004

3.—(1) The General Medical Services and Section 17C Agreements (Transitional and other Ancillary Provisions) (Scotland) Order 2004⁽³⁾ is amended as follows.

(2) In article 1(2) (citation, commencement and interpretation) in the definition of “the Section 17C Agreement Regulations” for “the National Health Service (Primary Medical Services Section

(1) [S.I. 2013/235](#).

(2) [S.S.I. 2004/114](#).

(3) [S.S.I. 2004/163](#).

Status: This is the original version (as it was originally made).

17C Agreements)(Scotland) Regulations 2004 substitute “the National Health Service (Primary Medical Services Section 17C Agreements)(Scotland) Regulations 2018”.

(3) In article 51 (4) (Interpretation of transitional agreements):

(a) for the words “paragraph 66 of Schedule 1” substitute “paragraph 68 of schedule 1”; and

(b) for the words substitute “paragraph 66(3)” to paragraph 68(3)”.

(4) In article 55 (2)(c) (Assignment of patients: transitional provisions) for the words “paragraph 13 of Schedule 2” substitute to “paragraph 11 of schedule 2”.

(5) In article 55 (5)(c) (Assignment of patients: transitional provisions) for the words “paragraph 14 of Schedule 2” substitute “paragraph 12 of schedule 2”.

(6) In article 57(3) (Variation and termination of transitional agreements):

(a) for the words “paragraph 66 of Schedule 1” substitute “paragraph 68 of Schedule 1”; and

(b) for the words “paragraph 66(3)” substitute “paragraph 68(3).

(7) In article 58 (1) (Health body status) for the words “regulation 8” substitute “regulation 10”.

The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

4.—(1) The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009(4) are amended as follows.

(2) In Regulation 2 (Interpretation and application)—

(a) in the definition of “dispensing doctor” for the words “under the terms of a section 17C agreement which gives effect to paragraph 15 of Schedule 1 to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “under the terms of a section 17C agreement which gives effect to paragraph 16 of schedule 1 of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”.

(3) In paragraph 4(2)(b)(ii) of schedule 1, for the words “regulation 2 of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “regulation 3 of the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”.

The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012

5.—(1) The Patient Rights (Complaints Procedure and Consequential Provisions) (Scotland) Regulations 2012(5) are amended as follows.

(2) In regulation 1(2) for “ part 6 of Schedule 1 to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “part 6 of schedule 1 to the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”.

The Public Bodies (Joint Working) (Prescribed Health Board Functions) (Scotland) Regulations 2014

6.—(1) The Public Bodies (Joint Working)(Prescribed Health Board Functions) (Scotland) Regulations 2014(6) are amended as follows.

(4) [S.S.I. 2009/183](#).

(5) [S.S.I. 2012/36](#).

(6) [S.S.I. 2014/344](#).

(2) In schedule 1 (Functions prescribed for the purposes of section 1(6) of the Act), in column B for “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”.

(3) In schedule 2 (Functions prescribed for the purposes of section 1(8) of the Act), in column B of the table for the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004” substitute “the National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018”.