
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 82

The Coronavirus Act 2020 (Transitional Provision) (Scotland) Regulations 2022

Transitional provision in relation to the expiry of section 4 and schedule 3 (emergency arrangements concerning medical practitioners: Scotland)

2. Regulation 7 (decisions and grounds for refusal and deferral) of the National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004(1) is amended as follows—

(a) after paragraph (5) insert—

“(5A) On the expiry of section 4 of the Coronavirus Act 2020(2), paragraphs (6A) and (7A) shall apply to any application the determination of which was deferred under regulation 7B(4)(3) (grounds for refusal and deferral under the Coronavirus Act 2020).”

(b) after paragraph (6) insert—

“(6A) As soon as is reasonably practicable after the expiry of section 4 of the Coronavirus Act 2020, the Health Board shall require an applicant whose application was deferred under regulation 7B(4) to confirm that the applicant wishes to proceed with the application and to provide details of any changes to the application, and any information included in the application, within 28 days (or such longer period as the Health Board specifies).”, and

(c) after paragraph (7) insert—

“(7A) On the expiry of the period referred to in paragraph (6A), the Health Board shall again consider the application and notify the applicant and any relevant Health Board of its determination and the reasons for it (including any facts relied on), and where the Health Board refuses the application for inclusion, of the applicant’s right to appeal under regulation 13 (appeal to the Scottish Ministers).”

(1) [S.S.I. 2004/114](#). Relevant amending regulations are [S.S.I. 2004/216](#), [2006/136](#) and [2007/207](#), 2010/234, 2011/392 and [S.I. 2013/235](#).

(2) [2020 c. 7](#).

(3) Regulation 7B was inserted into [S.S.I. 2004/114](#) by modification made by section 4 and paragraph 1 of schedule 3 of the Coronavirus Act 2020 ([c. 7](#)). The modification expired at the end of the day on 24 March 2022, see section 89 of the Coronavirus Act 2020.