



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART I

ORGANISATION

Co-operation and assistance

^{F1}17C Personal medical or dental services.

- (1) A Health Board may make one or more agreements with respect to their area, in accordance with the provisions of regulations under section 17E, under which—
- ^{F2}primary medical services] are provided (otherwise than by the Board); or
 - personal dental services are provided (otherwise than by the Board).

- (2) An agreement made under this section—
- may not combine arrangements for the provision of ^{F2}primary medical services] with arrangements for the provision of personal dental services.

^{F3}(2A) An agreement made under this section—

- for the provision of primary medical services may include arrangements for the provision of services which are not primary medical services and may provide for such other services to be performed in any place where, by virtue of section 2C, primary medical services may be performed;
 - for the provision of personal dental services] may include arrangements for the provision of services—
 - which are not ^{F2}primary medical services] or personal dental services; but
 - which may be provided under this Part.
- (3) Except to such extent as may be prescribed—

Status: Point in time view as at 13/02/2004. This version of this provision has been superseded.

Changes to legislation: National Health Service (Scotland) Act 1978, Section 17C is up to date with all changes known to be in force on or before 04 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) [^{F4}a patient for whom personal medical services are provided in accordance with an agreement made under this section is not to count as a person for whom arrangements must be made by the Health Board concerned under section 19;]
 - (b) a patient for whom personal dental services are provided under an agreement made under this section is not to count as a person for whom arrangements must be made by the Health Board concerned under section 25.
- (4) This Act (and in particular section 2) has effect, in relation to [^{F5}personal medical services or] personal dental services provided under an agreement made under this section, as if those services were provided as a result of the delegation by the Secretary of State (by directions given under section 2) of functions of his under this Part.
- (5) Regulations may provide—
- (a) for functions which are exercisable by a Health Board in relation to an agreement made under this section to be exercisable on behalf of the Board by a [^{F6}Strategic Health Authority or by a] Health Authority; and
 - (b) for functions which are exercisable by a [^{F6}Strategic Health Authority or by a] Health Authority in relation to an agreement made under section 28C of the ^{M1}National Health Service Act 1977 to be exercisable on behalf of the Authority by a Health Board.
- (6) For the purposes of this section—
- [^{F7}“Strategic Health Authority” and “Health Authority” have the same meaning as in the National Health Service Act 1977;]
 - [^{F8}“personal medical services” means medical services of a kind that may be provided by a general medical practitioner in accordance with arrangements made under Part II; and
 - “personal dental services” means dental services of a kind that may be provided by a general dental practitioner in accordance with arrangements made under Part II.]

Textual Amendments

- F1** S. 17C inserted (5.3.2001 for certain purposes only and otherwise *prosp.*) by 1997 c. 46, **ss. 21(2), 41(3)**; S.S.I. 2001/58, **art. 2**
- F2** Words in s. 17C(1)(a)(2)(a)(b)(i) substituted (13.2.2004 for certain purposes otherwise 1.4.2004) by **Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 2(2)(a), 9(1)**; S.S.I. 2004/58, **art. 2(1)(3)**, Sch.
- F3** S. 17C(2A) substituted for words (13.2.2004 for certain purposes otherwise 1.4.2004) by **Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 2(2)(b), 9(1)**; S.S.I. 2004/58, **art. 2(1)(3)**, Sch.
- F4** S. 17C(3)(a) repealed (13.2.2004 for certain purposes otherwise 1.4.2004) by **Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 2(2)(c), 9(1)**; S.S.I. 2004/58, **art. 2(1)(3)**, Sch.
- F5** Words in s. 17C(4) repealed (13.2.2004 for certain purposes otherwise 1.4.2004) by **Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 2(2)(d), 9(1)**; S.S.I. 2004/58, **art. 2(1)(3)**, Sch.
- F6** Words in s. 17C(5)(a)(b) inserted (1.10.2002) by 2002 c. 17, s. 4(3), **Sch. 3 Pt. 2 para. 12(a)**; S.I. 2002/2478, **art. 3(1)(a)** (with **art. 3(3)** and transitional provision in **art. 4**)
- F7** Definition in s. 17C substituted (1.10.2002) by 2002 c. 17, s. 4(3), **Sch. 3 Pt. 2 para. 12(b)**; S.I. 2002/2478, **art. 3(1)(a)** (with **art. 3(3)** and transitional provision in **art. 4**)
- F8** S. 17C(6): definition of "personal medical services" repealed (13.2.2004 for certain purposes otherwise 1.4.2004) by **Primary Medical Services (Scotland) Act 2004 (asp 1), ss. 2(2)(e), 9(1)**; S.S.I. 2004/58, **art. 2(1)(3)**, Sch.

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Marginal Citations

M1 1977 c. 49.

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