

Status: Point in time view as at 04/03/2004.

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PREFERENTIAL TREATMENT ON TRANSFERRING TO MEDICAL LISTS

Modifications etc. (not altering text)

C1 Sch. 1 modified as to exercise of functions of a Health Authority (1.4.2001) by [S.I. 2001/747](#), [reg. 6\(3\)\(c\)](#)

Representations against preferential treatment

- 3 (1) The Tribunal must inquire into any representations by the authority that the inclusion of the applicant's name in their medical list would be prejudicial to the efficiency of the general medical services provided in their area ^{F1}or that the applicant meets the second condition for disqualification mentioned in section 29 of the 1978 Act].
- (2) The Tribunal may inquire into any similar representations by any other person.
- (3) Where any representations of a kind mentioned in sub-paragraph (1) or (2) are made to the Tribunal and the applicant withdraws his application without the consent of the Secretary of State, the Tribunal may proceed to inquire into any of the representations, and exercise the powers in relation to disqualification conferred on them by this Schedule, as if the application had not been withdrawn.
- (4) The representations must be made in the prescribed manner and before the end of such period as may be prescribed.
- (5) Regulations may make provision for the publication of information about—
- (a) applications to which this Schedule relates; and
 - (b) the right to make representations about such applications.

Textual Amendments

F1 Words in Sch. 1 para. 3(1) added (S.) (4.3.2004) by [Community Care and Health \(Scotland\) Act 2002](#) (asp 5), [ss. 19\(a\)](#), 27(2) (with [S.S.I. 2004/34](#), arts. 1, [3\(1\)](#)); [S.S.I. 2004/33](#), art. 2(1)(a)

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