
STATUTORY INSTRUMENTS

2001 No. 3968

**The Private and Voluntary Health
Care (England) Regulations 2001**

**PART I
GENERAL**

Interpretation

2.—(1) In these Regulations—

“the Act” means the Care Standards Act 2000;

“agency” means an independent medical agency;

“dentist” means a person registered in the dentists register under the Dentists Act 1984(1);

“establishment” means an independent hospital, including an independent hospital in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983(2), or an independent clinic;

“general practitioner” means a medical practitioner who—

- (a) provides general medical services within the meaning of Part II of the NHS Act;
- (b) performs personal medical services in connection with a pilot scheme under the National Health Service (Primary Care) Act 1997(3); or
- (c) provides services which correspond to services provided under Part II of the NHS Act, otherwise than in pursuance of that Act;

“health care professional” means a person who is registered as a member of any profession to which section 60(2) of the Health Act 1999(4) applies, or who is a clinical psychologist or child psychotherapist, and “health care profession” shall be construed accordingly;

“medical device” has the same meaning as in the Medical Devices Regulations 1994(5);

“medical practitioner” means a registered medical practitioner(6);

“midwife” means a registered midwife(7) who has notified her intention to practise to the local supervisory authority in accordance with any rules made under section 14(1)(b) of the Nurses, Midwives and Health Visitors Act 1997(8);

(1) 1984 c. 24.

(2) 1983 c. 20.

(3) 1997 c. 46.

(4) 1999 c. 8.

(5) S.I.1994/3017.

(6) See the Interpretation Act 1978 (c. 30), Schedule 1, as amended by the Medical Act 1983 (c. 54), section 56(1), Schedule 5, paragraph 18.

(7) See the Interpretation Act 1978, Schedule 1. A definition of “registered” in relation to midwives was inserted by the Nurses, Midwives and Health Visitors Act 1979 (c. 36), Schedule 7, paragraph 30.

(8) 1997 c. 24.

“the NHS Act” means the National Health Service Act 1977⁽⁹⁾;

“organisation” means a body corporate or any unincorporated association other than a partnership;

“patient”, in relation to any establishment or agency, means a person for whom treatment is provided in or for the purposes of the establishment, or for the purposes of the agency;

“patients' guide” means the guide compiled in accordance with regulation 7;

“practising privileges” in relation to a medical practitioner, refers to the grant to a person who is not employed in an independent hospital of permission to practise in that hospital;

“registered manager”, in relation to an establishment or agency, means a person who is registered under Part II of the Act as the manager of the establishment or agency;

“registered person”, in relation to an establishment or agency, means any person who is the registered provider or the registered manager of the establishment or agency;

“registered provider”, in relation to an establishment or agency, means a person who is registered under Part II of the Act as the person carrying on the establishment or agency;

“responsible individual” shall be construed in accordance with regulation 10(2)(b)(i);

“statement of purpose” means the written statement compiled in accordance with regulation 6;

“treatment” includes palliative care and nursing and listed services within the meaning of section 2 of the Act⁽¹⁰⁾.

(2) In these Regulations, a reference—

- (a) to a numbered regulation or Schedule is to the regulation in, or Schedule to, these Regulations bearing that number;
- (b) in a regulation or Schedule to a numbered paragraph, is to the paragraph in that regulation or Schedule bearing that number;
- (c) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

(3) In these Regulations, references to employing a person include employing a person whether under a contract of service or a contract for services, and references to an employee or to a person being employed shall be construed accordingly.

⁽⁹⁾ 1977 c. 49.

⁽¹⁰⁾ See section 2(7).