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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the second Commencement Order made under the Health and Social Care (Community Health and Standards) Act 2003 (“the Act”).

Article 2 relates to primary medical services. Article 2(1) commences section 179 of the Act in relation to new section 28X of the National Health Service Act 1977 (“the 1977 Act”) concerning lists of persons performing primary medical services. It also commences from 3rd February 2004 a regulation making power in section 45A(9) of the 1977 Act concerning Local Medical Committees.

Article 2(2) commences from 1st March 2004 section 174 of the Act in relation to new section 16CC(2) and (4) of the 1977 Act which empowers Primary Care Trusts to provide primary medical services or make arrangements for their provision. It also commences section 180 of the Act concerning financial assistance and support to persons proposing or providing primary medical services under a general medical services contract or under section 28C arrangements.

Article 2(3) commences from 1st April 2004 section 174 of the Act in relation to the duty on Primary Care Trusts to provide or secure the provision of primary medical services in their areas.

Article 3 relates to general medical services contracts. Article 3(1) commences from 3rd February 2004 the regulation and direction making powers inserted into the 1977 Act by section 175(1) of the Act. Article 3(1)(c) commences the power in section 176 of the Act to make transitional provision in respect of medical practitioners who were providing general medical services under section 29 of the 1977 Act.

Article 3(2) commences section 175(1) of the Act fully from 1st March 2004.

Article 3(3) commences from 1st April 2004 section 175(2) which repeals sections 29 to 34A of the 1977 Act concerning general medical services. It also commences various consequential and minor amendments contained in Schedule 11 to the Act relating to general medical services.

Article 4 relates to arrangements for primary medical services which may be made under section 28C of the 1977 Act. Article 4(1) commences from 3rd February 2004 a regulation making power inserted into section 28D of the 1977 Act (persons with whom arrangements under section 28C of the Act may be made) by section 177(1) and (2) of the Act. Article 4(2) commences from 1st March 2004 amendments to sections 28D and 28E (Regulation) of the 1977 Act by section 177(2) to (11) of the Act.

Article 4(3) commences from 1st April 2004 section 178 of the Act in relation to the repeal of personal medical services pilot schemes made under Part 1 of the National Health Service (Primary Care) Act 1997. It also commences section 177(12) of the Act in relation to the repeal sections 28F (choice of medical practitioner) and 28H (immunisations) of the 1977 Act.

Article 5 commences various consequential amendments relating to primary medical services, general medical services and section 28C arrangements.

Article 6 commences various repeals relating to primary medical services, general medical services and section 28C arrangements.

Article 7 makes transitional provision applying until the commencement of the provisions relating to general dental services contracts and article 8 makes transitional provision applying until commencement of the repeal of section 178 of the Act relating to the abolition of pilot schemes for personal dental services.