
STATUTORY INSTRUMENTS

2004 No. 865

**The General Medical Services and Personal Medical Services
Transitional and Consequential Provisions Order 2004**

PART 5

TRANSITIONAL PROVISIONS RELATING TO THE CHOICE REGULATIONS

Representations against assignments

71.—(1) Where, on 31st March 2004, a Primary Care Trust had assigned a patient to a relevant medical practitioner under regulation 4 of the Choice Regulations but the seven days for him to make representations against that assignment in regulation 6(1) of those Regulations had not yet expired, the succeeding contractor shall be entitled to make representations to the Primary Care Trust in writing against that assignment within the period of seven days beginning on the day on which the relevant medical practitioner received notice of the assignment under regulation 4 of the Choice Regulations, as if regulation 6 of the Choice Regulations were still in force.

(2) Where, on 31st March 2004, a Primary Care Trust had required a pilot scheme provider to assign a patient under regulation 4(2)(b) of the Choice Regulations but the seven days for him to make representations against that requirement to assign in regulation 6(2) of those Regulations had not yet expired, the PMS contractor who is a party to the personal medical services agreement which has succeeded the pilot scheme shall be entitled to make representations to the Primary Care Trust in writing against that requirement to assign within the period of seven days beginning on the day on which the pilot scheme provider received notice of the requirement under regulation 4 of the Choice Regulations, as if regulation 6 of the Choice Regulations were still in force.

(3) Where representations are made to a Primary Care Trust under paragraph (1) or (2), the Primary Care Trust shall deal with those representations in accordance with regulation 6 of the Choice Regulations as if those Regulations were still in force and shall, on or before 30th April 2004, either confirm or revise its decision to assign the patient.

(4) In this article, “relevant medical practitioner” and “succeeding contractor” have the meaning given in article 2(3).