
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes transitional and consequential provision arising from the replacement on 1st April 2004 of arrangements for the provision of general medical services under section 29 of the National Health Service Act 1977 (“the 1977 Act”) with general medical services contracts under section 28Q of that Act (as inserted by section 175(1) of the Health and Social Care (Community Health and Standards) Act 2003 (“the 2003 Act”).

In the case of general medical services, this Order supplements the General Medical Services Transitional and Consequential Provisions (Wales) Order 2004 (S.I. 2004/477(W.47)) (“the first transitional order”).

Part 2 of the Order is concerned with transitional provision in relation to general medical services. It deals with matters which are still outstanding on 31st March 2004 under the National Health Service (General Medical Services) Regulations 1992 (S.I. 1992/635) (“the 1992 Regulations”) which are revoked. In most cases, it provides for those matters to be dealt with as part of the new contractual arrangements.

Part 3 of the Order deals with transitional provision between default contracts (which, under article 13 of the first transitional order, are short-term contracts which can be entered into on or before 31st March 2004 by those who had been providing general medical services under section 29 of the 1977 Act pending agreement on a permanent general medical services contract) and the succeeding general medical services contract. It provides for certain actions etc. taken under the default contract to carry forward to the general medical services contract.

Part 4 of the Order deals with transitional arrangements for general medical services in relation to the assignment of patients under regulations 4 to 6 of the National Health Service (Choice of Medical Practitioner) Regulations 1998 (S.I. 1998/668) which are revoked.

Part 5 of the Order deals with out of hours arrangements and services in relation to general medical services. Articles 58 to 64 make transitional provision in relation to matters outstanding on 31st March 2004 under paragraphs 18A to 18C of the 1992 Regulations. Articles 62 and 65 make transitional provision in relation to matters outstanding on the date on which a default contract is replaced by a general medical services contract. Article 69 deals with other miscellaneous transitional matters in relation to out of hours services.

Part 6 of the Order is concerned with transitional provision in relation to the National Health Service (Service Committees and Tribunals) Regulations 1992 which are revoked. It makes provision for matters which are outstanding under those regulations on 31st March 2004 to be concluded.

Part 7 of the Order includes a number of miscellaneous transitional and transitory provisions. Part 8 of the Order (and Schedules 1 and 2) set out savings, modifications, amendments and revocations.