



# Tobacco and Primary Medical Services (Scotland) Act 2010

## 2010 asp 3

### PART 2

#### PRIMARY MEDICAL SERVICES

#### 37 Contractual arrangements for the provision of primary medical services

In section 2C of the National Health Service (Scotland) Act 1978 (c.29) (referred to in this Part as “the 1978 Act”)—

- (a) in subsection (2), omit the words from “(and” to “person)”,
- (b) after subsection (2), insert—

“(2A) But any contractual arrangement which a Health Board makes in pursuance of subsection (2) (other than an NHS contract) must be an agreement under section 17C, a general medical services contract or a contract which meets the requirement in subsection (2B).

(2B) The requirement is that, were the contract an agreement under section 17C, the parties to the contract (other than the Board) would be persons with whom the Board could enter into such an agreement by virtue of section 17CA.”