

STATUTORY INSTRUMENTS

1997 No. 1177

**The Health Services (Primary Care)
(Northern Ireland) Order 1997**

^{F1} PART II

PILOT SCHEMES FOR PRIMARY CARE

General

Relationship between this Part and the 1972 Order

11.—(1) The provisions of the 1972 Order^{F1}... apply in relation to functions of the Department under this Part as if they were functions of the Department under Part II of that Order.

(2) The 1972 Order has effect in relation to piloted services—

(a) subject to any provision of, or made under, this Part; ^{F2}...

^{F2}(b)

^{F3}(3)

F1 Words in art. 11(1) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\)](#), [Sch. 1 para. 181\(2\)](#); S.R. 2022/102, art. 2(b)

F2 Art. 11(2)(b) and word omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\)](#), [Sch. 1 para. 181\(3\)](#); S.R. 2022/102, art. 2(b)

F3 Art. 11(3) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\)](#), [Sch. 1 para. 181\(4\)](#); S.R. 2022/102, art. 2(b)

Medical practitioners to be suitably experienced

^{F4}**12.**

F4 Art. 12 omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\)](#), [Sch. 1 para. 182](#); S.R. 2022/102, art. 2(b)

Leaving medical lists

^{F5}**13.**

F5 Art. 13 omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\), s. 8\(1\)\(b\)](#), [Sch. 1 para. 182](#); S.R. 2022/102, art. 2(b)

Preferential treatment on transferring to medical lists

^{F6}14.

F6 Art. 14 omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 182**; S.R. 2022/102, art. 2(b)

Art. 15 rep. by 2001 c. 3 (NI)

Liabilities and obligations in relation to deputies

^{F7}16.

F7 Art. 16 omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 182**; S.R. 2022/102, art. 2(b)

[^{F8}HSC contracts]

17.—(1) In the case of a pilot scheme entered into, or to be entered into, by a single individual or body corporate, that individual or body may make an application under this Article to become a [^{F9}health care] body.

(2) In the case of any other pilot scheme, all of those providing, or proposing to provide, piloted services under the scheme may together make an application under this Article to become a single [^{F9}health care] body.

(3) An application must—

- (a) be made to the Department in accordance with such provisions as may be prescribed; and
- (b) specify the pilot scheme in relation to which it is made.

(4) Except in such cases as may be prescribed, the Department may grant an application.

(5) If an application is granted, the Department must specify when it is to come into effect and, as from that time—

- (a) in the case of an application under paragraph (1), the applicant is; and
- (b) in the case of an application under paragraph (2), the applicants together are,

a [^{F9}health care] body for the purposes of Article 8 of the 1991 Order ([^{F8}HSC contracts]).

(6) That Article has effect in relation to such a [^{F9}health care] body (“a pilot scheme [^{F9}health care] body”) as if the functions referred to in paragraph (1) of that Article were the provision of piloted services.

(7) Except in such circumstances as may be prescribed, a pilot scheme [^{F9}health care] body resulting from an application under paragraph (2) is to be treated, at any time, as consisting of those providing piloted services under the scheme.

(8) A direction as to payment made under Article 8(8) of the 1991 Order against, or in favour of, a pilot scheme [^{F9}health care] body is enforceable in a county court (if the court so orders) as if it were a judgment or order of that court.

(9) Regulations may provide for a pilot scheme [^{F9}health care] body to cease to be such a body in prescribed circumstances.

(10) The Department must—

- (a) maintain and publish a list of pilot scheme [^{F9}health care] bodies;

- (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to it.
- (11) The list is to be published in such manner as the Department considers appropriate.

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| <p>F8 Words in Order substituted (1.4.2009) by virtue of Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 1(1)(e) (with Sch. 6 para. 1(3)); S.R. 2009/114, art. 2</p> <p>F9 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), Sch. 6 para. 1(1)(b) (with Sch. 6 para. 1(3)); S.R. 2009/114, art. 2</p> |
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Changes to legislation:

There are currently no known outstanding effects for the The Health Services (Primary Care) (Northern Ireland) Order 1997, Cross Heading: General.