

## SCHEDULE

### MODIFICATION OF ENACTMENTS

#### **National Health Service (Scotland) Act 1978 (c. 29)**

- 1.—(1) The National Health Service (Scotland) Act 1978 is amended as follows—
- (a) In section 29(6) (the NHS tribunal)(1) omit “, are approved to assist in providing or are approved to perform”.
  - (b) In section 29C(5) (conditional disqualification etc)(2) after paragraph (a) insert—
    - “(aa) vary any requirements to which the person subject to the inquiry is subject under or by virtue of section 17P;”.
- (2) In section 31 (disqualification provisions in England or Wales or Northern Ireland)(3)—
- (a) in subsection (1)(a), after “persons” insert “performing, ”; and
  - (b) in subsection (2)—
    - (i) omit “, assistance in provision” where those words appear for the second time, and
    - (ii) after “Part,” insert “Part 1 of this Act,”.
- (3) In section 32A (applications for interim suspension)(4)—
- (a) in subsection (2A)(a) after “with” insert “primary medical services or”.
  - (b) in subsection (6)(a)—
    - (i) after “persons” insert “performing or”, and
    - (ii) omit “, approved to assist in providing or approved to perform”.
- (4) In section 32D (suspension provisions in England, Wales or in Northern Ireland)(5)—
- (a) in subsection (1), after “persons” insert “performing, ”; and
  - (b) in subsection (2)(a)—
    - (i) after “persons” insert “performing or; and
    - (ii) omit “, approved to assist in providing or approved to perform”.

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(1) Section 29 was substituted by the Health Act 1999 (c. 8) (“the 1999 Act”), section 58(1); section 29(6) was amended by the [Community Care and Health \(Scotland\) Act 2002 asp 5](#) (“the 2002 Act”), Schedule 2 paragraph 2(4)(a) and the [Primary Medical Services \(Scotland\) Act 2004 asp 1](#), section 5(3)(a).

(2) Section 29C was inserted by the 1999 Act, section 58(1).

(3) Relevant amendments to section 31 were made by the 1999 Act, Schedule 4, paragraph 49, and the 2002 Act, Schedule 2, paragraph 2(8).

(4) Section 32A was inserted by the National Health Service (Amendment) Act 1995 (c. 31) (“the 1995 Act”), section 8; section 32(2A) was inserted by the 1999 Act, Schedule 4, paragraph 51(c) and amended by the 2002 Act, Schedule 2, paragraph 2(9)(a); and section 32A(6) was amended by the 1999 Act, Schedule 4, paragraph 51(g) and the 2002 Act, Schedule 2, paragraph 2(9)(c).

(5) Section 32D was inserted by the 1995 Act, section 8 and amended by the 1999 Act, Schedule 4, paragraph 53 and by the 2002 Act Schedule 2, paragraph 2(11).