



National Health Service (Primary Care) Act 1997

CHAPTER 46

NATIONAL HEALTH SERVICE (PRIMARY CARE) ACT 1997

PART I

PILOT SCHEMES FOR PRIMARY CARE

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- 1 Pilot schemes.
- 2 Provision of personal medical services under a pilot scheme.
- 3 Provision of personal dental services under a pilot scheme.
- 4 Proposals for pilot schemes.
- 5 Approval of pilot schemes.
- 6 Making of pilot schemes.

Reviews of pilot schemes

- 7 Reviews of pilot schemes.

Variation and termination of pilot schemes

- 8 Variation and termination of pilot schemes.

Services Lists

- 8ZA Lists of persons who may perform personal medical services or personal dental services
- 8A Delegation of Health Authority functions relating to pilot schemes.

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General

- 9 Relationship between this Part and the 1977 Act.
- 10 Relationship between this Part and the 1978 Act.
- 11 Medical practitioners to be suitably experienced.
- 12 Leaving medical lists.
- 13 Preferential treatment on transferring to medical lists.
- 14 Pilot Schemes for Primary Care
- 15 Liabilities and obligations in relation to deputies.
- 16 NHS contracts.
- 17 The Dental Practice Boards.

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- 18 Funding of preparatory work.
- 19 Pilot Schemes for Primary Care
- 20 Charges for dental treatment.

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PRIMARY CARE

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- 21 Provision of personal medical or dental services.
- 22 Supplementary regulations.
- 23 Right to choose medical practitioner.
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- 25 Liabilities and obligations in relation to deputies.
- 26 Charges for dental treatment.

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- 27 Provision of additional pharmaceutical services.
- 28 Terms and conditions etc.
- 29 Authorised provision of pharmaceutical services by medical practitioners.

Ophthalmic services

- 30 Duty of registered opticians to refer certain persons to registered medical practitioners.

NHS contracts

- 31 Provision of certain services under NHS contracts.

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- 32 Medical lists and vacancies: England and Wales.
- 33 Medical lists and vacancies: Scotland.

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- 34 Sale of medical practices.
- 35 Employment of pre-registration house officers in medical practices.

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PART III

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- 36 Expenditure of Health Authorities.
- 37 Expenditure of Health Boards.
- 38 Corresponding provision for Northern Ireland.
- 39 Regulations and directions.
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The preferential treatment

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SCHEDULE 2 — Amendments

Part I — MINOR AND CONSEQUENTIAL AMENDMENTS

The Health Services and Public Health Act 1968 (c. 46)

- 1 (1) The Health Services and Public Health Act 1968 is...

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The Patents Act 1977 (c. 37)

- 2 In section 56(4)(a) of the Patents Act 1977, for the...

The National Health Service Act 1977 (c. 49)

- 3 The 1977 Act is amended in accordance with paragraphs 4...
- 4 (1) Section 15 is amended as follows.
- 5 (1) Section 26 is amended as follows.
- 6 The National Health Service Act 1977 (c. 49)
- 7 After section 28H insert— Use of accommodation. If the Secretary of State considers that any accommodation provided...
- 8 In section 29(2), omit paragraphs (b) and (c).
- 9 In section 32(1), for the definition of “ applicant ”...
- 10 (1) Section 33 is amended as follows.
- 11 In section 34(1)(a), omit from “ (ii) the occurrence ”...
- 12 Omit section 36(1)(c).
- 13 The National Health Service Act 1977 (c. 49)
- 14 In section 43(3), after “ 41(d) ” insert “ , or additional...
- 15 In section 50, after “ whom ” insert “ general ophthalmic ”...
- 16 The National Health Service Act 1977 (c. 49)
- 17 The National Health Service Act 1977 (c. 49)
- 18 The National Health Service Act 1977 (c. 49)
- 19 The National Health Service Act 1977 (c. 49)
- 20 In section 85(1), references to functions conferred or imposed by...
- 21 In section 86, the reference to a function conferred by...
- 22 In section 97(6)(a), for “ subsections (1) to (3), or subsection... ”
- 23 In section 97A— (a) in subsection (1)(a), for “ amounts allotted... ”
- 24 The National Health Service Act 1977 (c. 49)
- 25 The National Health Service Act 1977 (c. 49)
- 26 In section 105(2)(a) after “ examined ” insert “ or as part... ”
- 27 In section 126(3), after “ under ” insert “ or by virtue... ”
- 28 In section 128, insert at the appropriate places— “ health... ”
- 29 (1) In Schedule 9, paragraph 5A is amended as follows....
- 30 (1) Schedule 10 is amended as follows.
- 31 In Schedule 12, in paragraph 1(1)(b), after “ drug or medicine ”...

The National Health Service (Scotland) Act 1978 (c. 29)

- 32 The 1978 Act is amended in accordance with paragraphs 33...
- 33 In section 3(1), omit from “ , for the purpose of ”...
- 34 In section 12A, after subsection (4) insert—
- 35 In section 15(1)(a)— (a) after “ persons ” insert —
- 36 In section 17A(2), at the end insert “ and in... ”
- 37 After section 17G insert— Immunisation. Where the Secretary of State arranges with medical practitioners for...
- 38 After section 17H insert— Use of accommodation. If the Secretary of State considers that any accommodation provided...
- 39 (1) Section 19 is amended as follows.
- 40 In section 22(1) for the definition of “ applicant ”...
- 41 (1) Section 23 is amended as follows.
- 42 In section 24(1)(a), omit from “ (ii) the occurrence ” to the...
- 43 Omit section 25(2)(c).
- 44 In section 27(1), for “ in this Act referred to ” substitute...

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- 45 In section 28(2)(b), after “that” insert “ (i) ”, and...
- 46 In section 34, after “whom” insert “ general ophthalmic ”....
- 47 In section 73(b), after “providing” insert “ personal dental services...
- 48 In section 74(b), after “providing” insert “ personal dental services...
- 49 In section 75, for paragraph (b) substitute—
- 50 In section 75A(1)(a), after “section 70(1) or (1A) above” insert...
- 51 In section 77(1), references to functions conferred or imposed by...
- 52 In section 78, the reference to a function conferred by...
- 53 (1) Section 87A is amended as follows.
- 54 (1) Section 87B is amended as follows.
- 55 (1) Section 87D is amended as follows.
- 56 In section 88(1)(d) and (2)(e), after “section 22” insert “...
- 57 In section 108, insert at the appropriate places— “ health...
- 58 (1) In Schedule 8, paragraph 8 is amended as follows....
- 59 (1) Schedule 9 is amended as follows.
- 60 In Schedule 11, in paragraph 1(1)(b), after “drug or medicine”...

The Medical Act 1983 (c. 54)

- 61 (1) The Medical Act 1983 is amended as follows.

The Dentists Act 1984 (c. 24)

- 62 In section 53(3)(a) of the Dentists Act 1984, for the...

The Copyright, Designs and Patents Act 1988 (c. 48)

- 63 In section 240(4) of the Copyright, Designs and Patents Act...

The Health and Medicines Act 1988 (c. 49)

- 64 (1) The Health and Medicines Act 1988 is amended as...

The National Health Service and Community Care Act 1990 (c. 19)

- 65 (1) The National Health Service and Community Care Act 1990...

The Access to Health Records Act 1990 (c. 23)

- 66 (1) The Access to Health Records Act 1990 is amended...

The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 67 In section 279 of the Trade Union and Labour Relations...

The Health Service Commissioners Act 1993 (c. 46)

- 68 (1) The Health Service Commissioners Act 1993 is amended as...
- Part II — PRE-CONSOLIDATION AMENDMENTS

The National Health Service Act 1966 (c. 8)

- 69

The National Health Service Act 1977 (c. 49)

- 70 The National Health Service Act 1977 (c. 49)
- 71 The National Health Service Act 1977 (c. 49)

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- 72 The National Health Service Act 1977 (c. 49)
- 73 In section 36(1)(a), for “ of lists ” substitute “...
- 74 The National Health Service Act 1977 (c. 49)
- 75 In section 39(a), for “ of lists of medical practitioners,...
- 76 The National Health Service Act 1977 (c. 49)
- 77 The National Health Service Act 1977 (c. 49)
- 78 The National Health Service Act 1977 (c. 49)

Transitional provisions for amendments to 1977 Act

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The Health and Medicines Act 1988 (c. 49)

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The Health Service Commissioners Act 1993 (c. 46)

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SCHEDULE 3 — Repeals and Revocations

Part I — REPEALS

Part II — PRE-CONSOLIDATION REPEALS

Part III — REVOCATIONS

Changes to legislation:

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View outstanding changes

Changes and effects yet to be applied to :

- s. 1(3)(b) words inserted by [2005 asp 13 sch. 2 para. 4\(2\)\(a\)](#)
- s. 1(7) repealed by [2004 asp 7 sch. 2](#)
- s. 1(8) words inserted by [2005 asp 13 sch. 2 para. 4\(2\)\(b\)](#)
- s. 1(8) words repealed by [2005 asp 13 sch. 3](#)
- s. 2(2)(b) substituted by [S.I. 2003/1250 Sch. 9 para. 6\(a\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 para. 6(a)(b)(c)(i) omitted (E.) (1.4.2004) by virtue of S.I. 2004/865, Sch. 1 para. 37(7)(b) and omitted (W.) (1.4.2004) by virtue of S.I. 2004/1016, Sch. 1 para. 33(7)(b))
- s. 2(4) substituted by [S.I. 2003/1250 Sch. 9 para. 6\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 para. 6(a)(b)(c)(i) omitted (E.) (1.4.2004) by virtue of S.I. 2004/865, Sch. 1 para. 37(7)(a) and omitted (W.) (1.4.2004) by virtue of S.I. 2004/1016, Sch. 1 para. 33(7)(a))
- s. 3(2)(a) repealed by [2004 asp 7 sch. 2](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(a\)\(i\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(a\)\(ii\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(b\)\(i\)](#)
- s. 3(3) words inserted by [2005 asp 13 sch. 2 para. 4\(3\)\(b\)\(ii\)](#)
- s. 3(3) words repealed by [2004 asp 7 sch. 2](#)
- s. 11 omitted by [S.I. 2003/1250 Sch. 9 para. 6\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 para. 6(a)(b)(c)(i) omitted (E.) (1.4.2004) by virtue of S.I. 2004/865, Sch. 1 para. 37(7)(a) and omitted (W.) (1.4.2004) by virtue of S.I. 2004/1016, Sch. 1 para. 33(7)(a))
- s. 17(5) words inserted by [2005 asp 13 sch. 2 para. 4\(4\)\(a\)](#)
- s. 17(5) words inserted by [2005 asp 13 sch. 2 para. 4\(4\)\(b\)](#)
- s. 22(1) words omitted by [S.I. 2003/1250 Sch. 9 para. 6\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 para. 6(a)(b)(c)(i) omitted (E.) (1.4.2004) by virtue of S.I. 2004/865, Sch. 1 para. 37(7)(a) and omitted (W.) (1.4.2004) by virtue of S.I. 2004/1016, Sch. 1 para. 33(7)(a))
- s. 27(2) repealed by [2005 asp 13 sch. 3](#)
- s. 28(2) repealed by [2005 asp 13 sch. 3](#)
- s. 29(2) repealed by [2005 asp 13 sch. 3](#)
- s. 33(3) omitted by [S.I. 2003/1250 Sch. 9 para. 6\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 9 paras. 3(b)-(e), 6(d) omitted (1.10.2004) by virtue of S.I. 2004/2261, Sch. 1 para. 3(5))
- Sch. 1 para. 9(a) words substituted by [2001 c. 15 s. 27\(5\)\(b\)](#)
- Sch. 2 para. 43 repealed by [2005 asp 13 sch. 3](#)
- Sch. 2 para. 44 repealed by [2005 asp 13 sch. 3](#)
- Sch. 2 para. 45 repealed by [2005 asp 13 sch. 3](#)
- Sch. 2 para. 53-55 repealed by [1999 c. 8 Sch. 5](#)
- Sch. 2 para. 69 repealed by [1999 c. 8 Sch. 5](#)
- Sch. 2 para. 7778 repealed by [1999 c. 8 Sch. 5](#)
- Sch. 2 para. 4 repealed in part by [1999 c. 8 Sch. 5](#)
- Sch. 2 para. 65 repealed in part by [1999 c. 8 Sch. 5](#)
- Sch. 2 para. 71 repealed in part by [1999 c. 8 Sch. 5](#)
- Sch. 3 words repealed by [2005 asp 13 sch. 3](#)