



# National Health Service (Primary Care) Act 1997

## CHAPTER 46

### NATIONAL HEALTH SERVICE (PRIMARY CARE) ACT 1997

#### PART I

##### PILOT SCHEMES FOR PRIMARY CARE

###### *Preparation and making of pilot schemes*

- 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

###### *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 Returning to fund-holding status
- 15 Liabilities and obligations in relation to deputies
- 16 NHS contracts
- 17 The Dental Practice Boards

*Financial provisions*

- 18 Funding of preparatory work
- 19 Fund-holding practices
- 20 Charges for dental treatment

**PART II**

PRIMARY CARE

*Personal medical or dental services*

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

*Pharmaceutical services*

- 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

*Medical lists and vacancies*

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

*Medical practices*

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

**PART III**

MISCELLANEOUS AND SUPPLEMENTAL

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

- 40 Interpretation
- 41 Short title, commencement and extent, etc

## SCHEDULES

### SCHEDULE 1 — Preferential Treatment on Transferring to Medical Lists

#### *Cases where preference is given*

- 1 (1) This Schedule applies if the Secretary of State determines...

#### *The preferential treatment*

- 2 (1) The authority must include the applicant's name in their...

#### *Representations against preferential treatment*

- 3 (1) The Tribunal must inquire into any representations by the...

#### *Power of Tribunal to give directions*

- 4 (1) If the Tribunal consider that the inclusion of the...

#### *Termination of directions*

- 5 (1) A person's name may not be included (whether by...

#### *Directions in Northern Ireland*

- 6 A person's name may not be included in any medical...

#### *Regulations*

- 7 (1) Regulations must provide— (a) for inquiries under this Schedule...

#### *Interpretation*

- 8 For the purposes of this Schedule the question of whether...
- 9 In this Schedule "the Tribunal" means— (a) in relation to...

### 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...

#### *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.

*Status: This is the original version (as it was originally enacted).*

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- 6 After section 28G insert— Immunisation Where the Secretary of State arranges with medical practitioners for...
- 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” substitute—  
“applicant”...
- 10 (1) Section 33 is amended as follows.
- 11 In section 34(1)(a), omit from “(ii) the occurrence” to the...
- 12 Omit section 36(1)(c).
- 13 In section 41, for “in this Act referred to” substitute...
- 14 In section 43(3), after “41(d)” insert “, or additional pharmaceutical...
- 15 In section 50, after “whom” insert “general ophthalmic”.
- 16 In section 81(b), after “providing” insert “personal dental services in...
- 17 In section 82(b), after “providing” insert “personal dental services in...
- 18 In section 83, for paragraph (b) substitute—
- 19 In section 83A(1)(a), after “section 78(1) or (1A) above” insert...
- 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 In section 102(1)(a)(iii) and (2)(b), after “section 32 above” insert...
- 25 In section 103(1)(a) after “Act” insert “or in accordance with...
- 26 In section 105(2)(a) after “examined” insert “or as part of...
- 27 In section 126(3), after “under” insert “or by virtue of”....
- 28 In section 128, insert at the appropriate places— “health service...
- 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 this...
- 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” substitute—  
“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...
- 45 In section 28(2)(b), after “that” insert “(i)”, and after “arrangements”...
- 46 In section 34, after “whom” insert “general ophthalmic”.
- 47 In section 73(b), after “providing” insert “personal dental services in...
- 48 In section 74(b), after “providing” insert “personal dental services in...
- 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 “or...
- 57 In section 108, insert at the appropriate places— “health service...
- 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 (1) Section 10 of the National Health Service Act 1966...

*The National Health Service Act 1977 (c. 49)*

- 70 The 1977 Act is amended in accordance with paragraphs 71...
- 71 (1) Section 29 is amended as follows.
- 72 In section 35(1), after “regulations” insert “which shall be made...
- 73 In section 36(1)(a), for “of lists” substitute “by each Health...
- 74 In section 38(1), after “with regulations” insert “which shall be...
- 75 In section 39(a), for “of lists of medical practitioners, and...
- 76 In section 41, after “with regulations” insert “which shall be...

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- 77 Omit section 43A(3).  
78 Omit paragraph 37 of Schedule 15.

*Transitional provisions for amendments to 1977 Act*

- 79 (1) This paragraph applies where an amendment made by this...

*The Health and Medicines Act 1988 (c. 49)*

- 80 In section 17(1) of the Health and Medicines Act 1988,...

*The Health Service Commissioners Act 1993 (c. 46)*

- 81 In section 6(5) of the Health Service Commissioners Act 1993...

SCHEDULE 3 — Repeals and Revocations

Part I — REPEALS

Part II — PRE-CONSOLIDATION REPEALS

Part III — REVOCATIONS