



# National Health Service (Primary Care) Act 1997

## 1997 CHAPTER 46

### <sup>F2</sup>[<sup>F1</sup>]<sup>F2</sup> PART I

#### PILOT SCHEMES FOR PRIMARY CARE

#### <sup>F1</sup>[<sup>F2</sup>]<sup>F3</sup> *Financial provisions*

##### Textual Amendments

- F1** Pt. I ceases to have effect for specified purposes (S.) (1.4.2004) by virtue of [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), ss. 3, 9\(1\)](#); S.S.I. 2004/58, art. 2(3)
- F2** Pt. I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 178, 199\(1\)\(4\), Sch. 14 Pt. 4](#) Note (with S.I. 2004/865, arts. 1(1), 58); S.I. 2004/288, arts. 4(3)(b), 6(2)(p) (with art. 8) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(p) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345), S.I. 2005/2925, arts. 6(2)(b), 11, S.I. 2006/345, art. 4(2)(b)
- F3** Ss. 11-13 repealed (S.) (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), s. 9\(1\), sch. para. 2\(5\)](#); S.S.I. 2004/58, art. 2(3)

### 18 Funding of preparatory work.

- (1) Provision may be made by regulations for authorities to make payments of financial assistance for preparatory work.
- (2) “Preparatory work” means work which it is reasonable for a person to undertake—
  - (a) in connection with preparing proposals for a pilot scheme; or
  - (b) in preparing for the provision by him of any piloted services.
- (3) Regulations under this section may, in particular, include provision—

*Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: Financial provisions. (See end of Document for details)*

- (a) prescribing the circumstances in which payments of financial assistance may be made;
- (b) imposing a limit on the amount of any payment of financial assistance which an authority may make in any prescribed period in respect of any one person or any one pilot scheme;
- (c) imposing a limit on the aggregate amount which an authority may pay by way of financial assistance in any one financial year;
- (d) requiring a person to whom assistance is given under this section to comply with such conditions as may be imposed in accordance with prescribed requirements; and
- (e) for repayment in the case of a failure to comply with any condition so imposed.

**Modifications etc. (not altering text)**

- C1** S. 18 modified as to exercise of functions of a Health Authority (1.4.2001) by [S.I. 2001/747, reg. 6\(3\)\(c\)](#)

**Commencement Information**

- II** S. 18 wholly in force at 1.4.1998; s. 18 not in force at Royal Assent see s. 41; s. 18(1)(2)(a)(3) in force at 15.8.1997 by [S.I. 1997/1780, art. 2\(1\), Sch.](#); s. 18(2)(b) in force for certain purposes at 28.11.1997 by [S.I. 1997/2620, art. 2\(2\)\(b\)](#); s. 18 in force at 1.4.1998 in so far as not already in force by [S.I. 1998/631, art. 2\(a\), Sch. 1](#)

<sup>F4</sup>19] .....

**Textual Amendments**

- F4** S. 19 repealed (1.10.1999 for E., S., and 1.4.2000 for W.) by [1999 c. 8, s. 65\(1\)\(2\), Sch. 4 para. 88\(6\), Sch. 5](#); [S.I. 1999/2540, art. 2\(1\)\(a\), Sch. 1](#); [S.S.I. 1999/90, art. 2\(b\)](#); [S.I. 2000/1041, art. 2\(d\), Sch.](#)

**20 Charges for dental treatment.**

- (1) Regulations may provide for the making and recovery, in such manner as may be prescribed, of charges for [<sup>F5</sup>personal dental services provided in accordance with pilot schemes except—
  - (a) those services to which section 78(1A) of the 1977 Act or (as the case may be) section 70(1A) of the 1978 Act applies; and
  - (b) oral health assessments and dental examinations carried out on or after 1st April 2006.]
- (2) [<sup>F6</sup>“Dental treatment” means personal dental services other than those to which section 78(1A) of the 1977 Act or (as the case may be) section 70(1A) of the 1978 Act applies.]
- (3) The regulations must secure that the amount charged for a particular treatment (or course of treatment) is the same as the amount that would be charged for that treatment (or course of treatment) if it were provided under Part II of the 1977 Act or (as the case may be) Part II of the 1978 Act.
- (4) The regulations may—

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- (a) provide for the amount or the maximum amount of any charge authorised by the regulations to be varied in prescribed circumstances; or
  - (b) give power to direct that the charge is not to be payable.
- (5) If, under a contract or arrangement, a patient receives—
- (a) services for which a charge is payable under section 78 of the 1977 Act or (as the case may be) section 70 of the 1978 Act, and
  - (b) treatment for which a charge is payable under the regulations,
- the total charge for those services and that treatment is not to exceed such sum as may be prescribed.
- (6) No charge is to be made under the regulations in respect of treatment provided for any person who, at the time of the making of the contract or arrangement under which the treatment is provided—
- (a) was under 18;
  - (b) was under 19 and receiving qualifying full-time education;
  - (c) was pregnant; or
  - (d) had given birth within the previous twelve months.
- (7) In subsection (6)(b) “qualifying full-time education” has the same meaning as in Schedule 12 to the 1977 Act or (as the case may be) in Schedule 11 to the 1978 Act.
- (8) The regulations may provide, with respect to any exemption under subsection (6), that it is to be a condition of the exemption that—
- (a) a declaration of the prescribed kind is made in the prescribed form or manner; or
  - (b) a certificate of the prescribed kind is supplied in the prescribed form or manner.]]

#### Textual Amendments

- F5** Words in s. 20(1) substituted (S.) (7.3.2006 for specified purposes, 1.4.2006 in so far as not already in force) by [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#), **ss. 12(3)(a)**, 43(3); S.S.I. 2006/121, **art. 3(a)**, **sch. 1**; S.S.I. 2005/492, **art. 3(e)**, **sch. 3**
- F6** S. 20(2) repealed (S.) (7.3.2006 for specified purposes, 1.4.2006 in so far as not already in force) by [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#), **ss. 12(3)(b)**, 43(3); S.S.I. 2006/121, **art. 3(a)**, **sch. 1**; S.S.I. 2005/492, **art. 3(e)**, **sch. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: Financial provisions.