
Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: The Health Service Commissioners Act 1993 (c. 46). (See end of Document for details)

SCHEDULES

SCHEDULE 2

AMENDMENTS

PART I

MINOR AND CONSEQUENTIAL AMENDMENTS

The Health Service Commissioners Act 1993 (c. 46)

- 68 (1) The Health Service Commissioners Act 1993 is amended as follows.
- (2) In section 2A(1), for the words from “if they are” to “Act 1977” substitute “if they are—
- (a) individuals undertaking to provide in England general medical services or general dental services under Part II of the National Health Service Act 1977;
 - (b) persons (whether individuals or bodies) undertaking to provide in England general ophthalmic services or pharmaceutical services under Part II of that Act; or
 - (c) individuals performing in England personal medical services or personal dental services in accordance with arrangements made under section 28C of that Act (except as employees of, or otherwise on behalf of, a health service body or an independent provider)”.
- (3) In section 2A(2), for the words from “if they are” to “Act 1977” substitute “if they are—
- (a) individuals undertaking to provide in Wales general medical services or general dental services under Part II of the National Health Service Act 1977;
 - (b) persons (whether individuals or bodies) undertaking to provide in Wales general ophthalmic services or pharmaceutical services under Part II of that Act; or
 - (c) individuals performing in Wales personal medical services or personal dental services in accordance with arrangements made under section 28C of that Act (except as employees of, or otherwise on behalf of, a health service body or an independent provider)”.
- (4) In section 2A(3), for the words from “if they are” to “Act 1978” substitute “if they are—
- (a) individuals undertaking to provide in Scotland general medical services or general dental services under Part II of the ^{M1}National Health Service (Scotland) Act 1978;

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- (b) persons (whether individuals or bodies) undertaking to provide in Scotland general ophthalmic services or pharmaceutical services under Part II of that Act; or
- (c) individuals performing in Scotland personal medical services or personal dental services in accordance with arrangements made under section 17C of that Act (except as employees of, or otherwise on behalf of, a health service body or an independent provider)".

(5) In section 3, after subsection (1) insert—

“(1ZA) Any failure or maladministration mentioned in subsection (1) may arise from action of—

- (a) the health service body,
- (b) a person employed by that body,
- (c) a person acting on behalf of that body, or
- (d) a person to whom that body has delegated any functions.”

Commencement Information

I1 Sch. 2 para. 68 partly in force; Sch. 2 para. 68 not in force at Royal Assent see s. 41; Sch. 2 para. 68 in force for certain purposes at 1.4.1998 by [S.I. 1998/631](#), arts. 2(b), 3, [Sch. 2](#)

Marginal Citations

M1 1978 c. 29.

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