



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

^{F2}[^{F1}]^{F2}PART I

PILOT SCHEMES FOR PRIMARY CARE

Preparation and making of pilot schemes

^{F1}[^{F2} **Provision of personal medical services under a pilot scheme.**

- (1) This section applies to any pilot scheme under which personal medical services are provided.
- (2) [^{F3}An agreement which constitutes, or is one of the agreements which together constitute, a pilot scheme may be made by an authority only with one or more of the following—
 - (a) an NHS trust;
 - (b) a suitably experienced medical practitioner;
 - (c) an NHS employee or a pilot scheme employee;
 - (d) a qualifying body;
 - (e) an individual who is providing personal medical services under that or another pilot scheme.^{F4}[(f) a Primary Care Trust]]
- (3) In this section—

“NHS employee” means an individual who, in connection with the provision of services in the health service, is employed by—

 - (a) an NHS trust;
 - (b) a medical practitioner whose name is included in a medical list; or
 - (c) a medical practitioner who is providing personal medical services in accordance with a pilot scheme;

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 2. (See end of Document for details)

“pilot scheme employee” means an individual who, in connection with the provision of personal medical services in accordance with a pilot scheme, is employed by an individual providing those services;

“qualifying body” means a company which is limited by shares all of which are legally and beneficially owned by persons falling within paragraph (a), (b), (c) [^{F5}(e) or (f)] of subsection (2).

- (4) For the purposes of this section, a medical practitioner is suitably experienced if he is suitably experienced for the purposes of section 11 of this Act, section 31 of the 1977 Act or section 21 of the 1978 Act.
- (5) In this Part, “medical list” means—
- (a) in relation to England and Wales, a list prepared in accordance with regulations made under section 29(2)(a) of the 1977 Act;
 - (b) in relation to Scotland, a list prepared in accordance with regulations made under section 19(2)(a) of the 1978 Act.]]

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.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 I repealed (E.W.) (1.4.2004 for specified purposes, 1.4.2006 in so far as not already in force) by [Health and Social Care \(Community Health and Standards\) Act 2003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** S. 2 repealed (S.) (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), s. 9\(1\), sch. para. 2\(3\)](#); S.I. 2004/58, art. 2(3)
- F4** S. 2(2)(f) inserted (1.10.1999 for S., 4.1.2000 for E. and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1), [Sch. 4 para. 88\(3\)\(a\)](#); S.S.I. 1999/90, [art. 2\(b\)](#); S.I. 1999/2342, art. 2(3)(a), [Sch. 2](#)
- F5** Words in definition of “qualifying body” in s. 2(3) substituted (1.10.1999 for S., 4.1.2000 for E. and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1), [Sch. 4 para. 88\(3\)\(b\)](#); S.S.I. 1999/90, [art. 2\(b\)](#); S.I. 1999/2342, art. 2(3)(a), [Sch. 2](#)

Modifications etc. (not altering text)

- C1** S. 2: functions of local authority may be responsibility of an executive of the authority (1.4.2000) by S.I. 2000/695, [reg. 3\(2\)\(b\)](#), [Sch. 2](#) (as amended (1.4.2002) by S.I. 2002/555, [reg. 3\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 2.