



# National Health Service (Primary Care) Act 1997

## 1997 CHAPTER 46

### PART II

#### PRIMARY CARE

##### *Medical practices*

#### **34 Sale of medical practices.**

<sup>F1</sup>(1) .....

(2) In the 1978 Act, for section 35 (sale of medical practices), substitute—

#### **“35 Sale of medical practices.**

(1) It is unlawful to sell the goodwill of the medical practice of a person who has at any time—

- (a) provided general medical services under arrangements made with any Executive Council or Health Board under the <sup>M1</sup>National Health Service (Scotland) Act 1947, the <sup>M2</sup>National Health Service (Scotland) Act 1972 or this Act, or
- (b) provided or performed personal medical services in accordance with section 17C arrangements,

unless that person no longer provides or performs such services and has never carried on the practice in a relevant area.

(2) In this section—

“goodwill” includes any part of goodwill and, in relation to a person practising in partnership, means his share of the goodwill of the partnership practice;

“medical practice” includes any part of a medical practice; and

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**Changes to legislation:** There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 34. (See end of Document for details)

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“relevant area”, in relation to any Executive Council or Health Board by arrangement with whom a person has at any time—

- (a) provided general medical services, or
- (b) provided or performed personal medical services in accordance with section 17C arrangements,

means the area of that Council or Board (at that time).

(3) Schedule 9 supplements the provisions of this section.”

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**Textual Amendments**

- F1** S. 34(1) repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)
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**Marginal Citations**

- M1** 1947 c. 27.  
**M2** 1972 c. 58.

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 34.