



# 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

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

#### <sup>F1</sup>[<sup>F2</sup>5 Approval of pilot schemes.

- (1) If proposals for a pilot scheme are submitted to the Secretary of State under section 4, he must—
  - (a) approve them as submitted;
  - (b) make such modifications as he considers appropriate and approve them as modified; or
  - (c) reject them.
- (2) The Secretary of State may not approve proposals for a pilot scheme unless he is satisfied that they include satisfactory provision for any participant other than the authority to withdraw from the scheme if he wishes to do so.
- (3) Subsection (4) applies if—
  - (a) the Secretary of State intends to approve proposals for a pilot scheme; and
  - (b) it appears to him that the effect of implementing the proposals would be to increase or reduce the number of general practitioners in the area of the authority concerned.
- (4) [<sup>F3</sup>The Secretary of State must have regard to the effect that the proposals, as he intends to approve them, are likely to have on—
  - (a) the distribution of general practitioners in England, in the case of proposals submitted by an authority in England;

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*Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 5. (See end of Document for details)*

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- (b) the distribution of general practitioners in Scotland, in the case of proposals submitted by an authority in Scotland;
- (c) the distribution of general practitioners in Wales, in the case of proposals submitted by an authority in Wales.]

[<sup>F4</sup>(5) [<sup>F5</sup>In carrying out his functions under subsection (4) in relation to the distribution of general practitioners in Scotland, the Secretary of State must consult the Scottish Medical Practices Committee.]]

(6) The Secretary of State must notify the authority concerned, in writing, of any decision made under this section.

(7) [<sup>F6</sup>In this section “general practitioner” means any medical practitioner who is providing general medical services or performing personal medical services.]]

#### 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** S. 5(4) repealed (S.) (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), s. 9\(1\), sch. para. 2\(4\)](#); S.S.I. 2004/58, art. 2(3)
- F4** S. 5(5) substituted (1.4.2002 for E. and 1.7.2002 for W. and otherwise *prosp.*) by [2001 c. 15, ss. 67, 70\(2\), Sch. 5 Pt. 1 para. 11\(3\)](#) (with ss. 64(9), 65(4)); S.I. 2002/1095 art. 2(3) (with transitional provisions in art. 3), Sch.; S.I. 2002/1475, [art. 2 Sch. Pt. 1](#)
- F5** S. 5(5) repealed (S.) (1.4.2004) by [Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(asp 4\), s. 21\(2\), sch. 4 para. 14\(a\)](#); S.S.I. 2004/148, art. 2(c)
- F6** S. 5(7) repealed (S.) (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), s. 9\(1\), sch. para. 2\(4\)](#); S.S.I. 2004/58, art. 2(3)

#### Commencement Information

- I1** S. 5 wholly in force at 1.4.1998; s. 5 not in force at Royal Assent see s. 41; s. 5 in force for certain purposes at 28.11.1997 by [S.I. 1997/2620, art. 2\(2\)\(b\)](#); s. 5 in force at 1.4.1998 in so far as not already in force by [S.I. 1998/631, art. 2\(a\), Sch. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Section 5.