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STATUTORY INSTRUMENTS

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**2008 No. 2352**

**The Private and Voluntary Health Care  
(England) Amendment Regulations 2008**

**Amendment of regulation 5 of the 2001 Regulations**

**5.** For regulation 5 of the 2001 Regulations (exception of undertaking from the definition of independent medical agency), substitute—

“**5.** For the purposes of the Act, any undertaking which consists of the provision of medical services by a medical practitioner only under arrangements made on behalf of the patients by—

- (a) their employer;
- (b) a government department or any executive agency of a government department;
- (c) a prison or other establishment in which the patients are held in custody, other than pursuant to any provision of the Mental Health Act 1983; or
- (d) an insurance company with whom the patients hold an insurance policy, other than an insurance policy which is solely or primarily intended to provide benefits in connection with the diagnosis or treatment of physical or mental illness, disability or infirmity,

is to be excepted from being an independent medical agency.”.