STATUTORY INSTRUMENTS

2022 No. 636

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Integrated Care Boards: Description of NHS Primary Medical Services) Regulations 2022

Made - - - -	*at 9.30 a.m. on 9th June 2022*
Laid before Parliament	*at 4.35 p.m. on 9th June 2022*
Coming into force - -	*1st July 2022*

The Secretary of State, in exercise of the powers conferred by sections 14Z31(5)(a), (b) and (c) and 272(8) of the National Health Service Act 2006(**a**), makes the following Regulations:

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the National Health Service (Integrated Care Boards: Description of NHS Primary Medical Services) Regulations 2022.

(2) These Regulations come into force on 1st July 2022.

(3) These Regulations extend to England and Wales.

(4) These Regulations apply in relation to England only(**b**).

Description of "NHS primary medical services"

2.—(1) For the purposes of section 14Z31(5)(a), (b) and (c) of the NHS Act 2006 (meaning of NHS primary medical services), the prescribed description of "primary medical services" is the services described in regulation 17(4), (6), (7) and (9) of the National Health Service (General Medical Services Contracts) Regulations 2015(**c**) provided to registered patients during core hours.

(2) In this regulation—

"bank holiday" means any day specified or proclaimed as a bank holiday in England and Wales pursuant to section 1 of the Banking and Financial Dealings Act 1971(**d**);

"contractor" has the meaning given in section 84(5) of the NHS Act 2006(**e**);

"core hours" means—

(a) the period beginning at 8 a.m. and ending at 6.30 p.m. on any relevant day; or

(**a**) 2006 c. 41. Section 14Z31 was inserted by section 20(2) of the Health and Care Act 2022 (c. 31). See section 275(1) for the meaning of "prescribed".
(**b**) See section 271(1) of the National Health Service Act 2006, by virtue of which the functions of the Secretary of State being exercised in the making of these Regulations are exercisable only in relation to England.
(**c**) S.I. 2015/1862. Relevant amending instruments are S.I. 2019/1137, S.I. 2020/351 and 911, and S.I. 2021/331.
(**d**) 1971 c. 80; amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2021 (c. 7).
(**e**) Section 84(5) was amended by paragraph 31 of Schedule 4 to the Health and Social Care Act 2021 (c. 7).

(b) in the case of primary medical services arrangements, the period defined as core hours in those arrangements;

"NHS Act 2006" means the National Health Service Act 2006;

"primary medical services arrangements" means arrangements previously made under section 83(2)(b) of the NHS Act 2006(**a**) which continue to have effect, and arrangements made by NHS England(**b**) under section 83(2) of that Act;

"provider" means a person, other than NHS England, providing a service in pursuance of—

(a) a general medical services contract to provide primary medical services;

(b) arrangements under section 83(2) of the NHS Act 2006 for the provision of primary medical services;

(c) arrangements under section 92 of that Act for the provision of primary medical services;

"registered patient" means—

(a) a person who is recorded by the relevant body as being on a provider's list of patients; or

(b) a person whom a provider has accepted for inclusion in its list of patients, whether or not notification of that acceptance has been received by the relevant body, and who has not been the subject of a notification by the relevant body to the provider as having ceased to be on that list;

"relevant body" means—

(a) NHS England; or

(b) where NHS England has delegated the administration of a provider's list of patients to an integrated care board(**c**), the integrated care board;

"relevant day" means any day from Monday to Friday—

(a) except Good Friday, Christmas Day or bank holidays; or

(b) including Good Friday and bank holidays in relation to which NHS England, with the agreement of the Secretary of State, has made an announcement under regulation 3A of the National Health Service (General Medical Services Contracts) Regulations 2015 (variation of core hours while a disease is or in anticipation of a disease being imminently pandemic)—

(i) in relation to the contractors in the area specified in the announcement;

(ii) in the circumstances specified in the announcement; and

(iii) for the duration of the period specified in the announcement.

Edward Argar
Minister of State,
Department of Health and Social Care

At 9.30 a.m. on 9th June 2022

(**a**) Section 83(2)(b) was omitted by paragraph 30 of Schedule 4 to the Health and Social Care Act 2012 (c. 7), subject to savings in S.I. 2013/160.

(**b**) Section 1 of the Health and Care Act 2022 renamed the body corporate created under section 1H of the National Health Service Act 2006, formerly known as the National Health Service Commissioning Board, as NHS England.

(**c**) An integrated care board is a body established under section 14Z25 of the National Health Service Act 2006. Section 14Z25 was inserted by section 19(2) of the Health and Care Act 2022.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the description of "primary medical services" for the purposes of section 14Z31(5)(a), (b) and (c) of the National Health Service Act 2006. It does so by reference to the services described in regulation 17(4), (6), (7) and (9) of the National Health Service (General Medical Services Contracts) Regulations 2015 (S.I. 2015/1862) provided to registered patients during core hours (as defined in regulation 2(2) of these Regulations).

An impact assessment has been prepared in relation to the Health and Care Act 2022. A copy is available at www.gov.uk/government/publications/health-and-care-bill-combined-impact-assessments. A hard copy can be obtained by writing to the Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU.

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£4.90

http://www.legislation.gov.uk/id/uksi/2022/636

ISBN 978-0-34-823614-9

