

<b>List of definitions in the new 2008 Scottish NHS Pension Scheme and their equivalent in the England and Wales Scheme</b>		
<b>Definition</b>	<b>Scotland</b>	<b>England</b>
<b>“additional services”</b>	(a) With regard to a GMS practice, the meaning given in Schedule 1 of the National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004 <sup>(1)</sup> (additional services); and (b) with regard to any other performer or provider of primary medical services, means services which, if provided by a GMS practice, would be additional services within the meaning given in Schedule 1 to those Regulations;	<b>“additional services” with regard to a—</b> (a) GMS practice has the meaning given in regulation 2(1) of the GMS Contracts Regulations; or (b) any other performer or provider of primary medical services, means services which, if provided by a GMS practice, would be additional services within the meaning given in regulation 2(1) of those Regulations;
<b>“HBPMS contract”</b>	Arrangements for the provision of services in accordance with section 2C(2) of the 1978 Act between a Health Board and a HBPMS contractor;	<b>“APMS contract”</b> means arrangements under section 80(2)(b) of the 2006 Act or section 41(2)(b) of the 2006 Wales Act (primary medical services) between a Primary Care Trust or Local Health Board and an APMS contractor;
<b>“HBPMS contractor”</b>	A person with whom a Health Board has made arrangements under section 2C(2) of the 1978 Act, but only if that person is also a person who would be eligible to enter into a GMS contract or a section 17C agreement for the provision of primary medical services and has not entered into such a	<b>“APMS contractor”</b> means a person— (a) with whom a Primary Care Trust or Local Health Board has made arrangements under section 80(2)(b) of the 2006 Act or section 41(2)(b) of the 2006 Wales Act, and

(1) S.S.I. 2004/115.

	GMS contract or section 17C agreement;	who has entered into, or would be eligible to enter into, a GMS contract or a PMS agreement for the provision of primary medical services
<b>“section 17C agreement”</b>	An agreement made under section 17C(2) of the 1978 Act;	<b>“PMS agreement”</b> means an agreement for the provision of primary medical services pursuant to —  (b) section 50 arrangements, (c) section 92 arrangements, or (d) a transitional agreement under Part 4 of the 2004 Order;
<b>“section 17C agreement provider”</b>	Any person or body who is providing primary medical services in accordance with a section 17C agreement;	<b>“PMS practice”</b> means— (e) an individual, (f) two or more individuals practising in partnership, or (g) a company limited by shares,  with whom, or with whose members, a Primary Care Trust or Local Health Board has entered into a PMS agreement under which primary medical services are provided (otherwise than by the Primary Care Trust or Local Health Board);
<b>“commissioned services”</b>	Services provided under a contract between— (a) a GP performer, a GMS practice, a section 17C agreement provider, an HBPMS contractor or an	<b>“commissioned services”</b> means medical services provided under a contract between—  (h) a GP performer, a GMS practice, a PMS practice, an

(2) Section 17C was inserted by the National Health Service (Primary Care) Act 1997 (c.46), section 21(2).

(3) To which there are amendments not relevant to these Regulations.

	<p>OOH provider; and (b) either—</p> <p>(i) a Special Health Board, which relates to the provision of health care; or</p> <p>(ii) the Scottish Ministers or a Health Board under section 16(1)(3) of the 1978 Act,</p> <p>which is for the purposes of the health service;</p>	<p>APMS contractor or an OOH provider; and</p> <p>(i) one of the following bodies—</p> <p>(i) a Strategic Health Authority or a Special Health Authority, which relates to the provision of health care; or</p> <p>(ii) the Secretary of State, the National Assembly for Wales, a Primary Care Trust or a Local Health Board under, in the case of England, section 12 of the 2006 Act or in the case of Wales, section 10 of the 2006 (Wales) Act; or</p> <p>iii) a National Health Service trust under paragraph 18 of Schedule 4 to the 2006 Act or paragraph 18 of Schedule 3 to the 2006 (Wales) Act; or</p> <p>(iv) a National Health Service foundation trust under section 47(2)(b) of the 2006 Act, which is for the purposes of the health service;</p>
<p><b>Core hours</b></p>	<p>The period beginning at 0800 hours and ending at 1830 hours on any day apart from Saturday, Sunday, Christmas Day, New Year’s Day and any other public or local holiday which</p>	<p>“core hours” means the period beginning at 8am and ending at 6:30pm on any day from Monday to Friday except Good Friday, Christmas Day and a bank</p>

	has been agreed to in writing by the Health Board when entering into a GMS contract;	holiday
<b>Lower tier ill health pension</b>		<b>Tier 1 ill health pension</b>
<b>Upper tier ill health pension</b>		<b>Tier 2 ill health pension</b>
<b>practitioner</b>	<p>(a) A registered medical practitioner, other than a GP registrar, who is a locum practitioner, a GP provider or a GP performer;</p> <p>(b) a registered dentist or a person treated as a practitioner under regulation R13 (in 1995 regs), but excluding a person who is paid wholly by way of salary by a Health Board or a person treated as an officer under regulation R13;</p>	
<b>“principal practitioner” means—</b>	<p>(a) in the case of a registered medical practitioner, a GP provider; and</p> <p>(b) in the case of a dental practitioner, a registered dentist who is included in a list prepared in accordance with the National Health Service (General Dental Services) (Scotland) Regulations 1996(4); and</p>	<b>“type 1 medical practitioner”</b> means a GP provider who is not a type 2 medical practitioner;
<b>Assistant practitioner</b>	<p>“assistant practitioner” means—</p> <p>(j) in the case of a registered medical practitioner—</p> <p>(i) a GP performer who</p>	<b>“type 2 medical practitioner”</b> means a GP performer who— (l) is not a GP provider, and—

(4) S.I. 1996/177, amended by S.I. 1998/1663, S.S.I. 1999/51, S.I. 1999/724, S.S.I. 2000/188 and 352, S.S.I. 2001/368, S.S.I. 2004/37 and 292, S.S.I. 2005/95 and S.S.I. 2006/137.

	<p>is not a GP provider but who is–</p> <p>(aa) employed (whether under a contract of service or for services) by a GMS practice, a section 17C agreement provider, an HBPMS contractor, an OOH provider or a Health Board; and</p> <p>(bb) who in that employment is engaged wholly or mainly in assisting his or her employer in the discharge of the employer’s duties as a GMS practice, a section 17C agreement provider, an HBPMS contractor, an OOH provider or a Health Board; or</p> <p>(ii) a registered medical practitioner who is participating in a Doctors’ retainer scheme; and</p> <p>(k) in the case of a dental practitioner, means a practitioner on a supplementary list employed by a principal practitioner, who in that</p>	<p>(i) is employed (whether under a contract of service or for services) by a GMS practice, a PMS practice, an APMS contractor, an OOH provider, a Primary Care Trust or a Local Health Board, and</p> <p>(ii) in that employment is engaged wholly or mainly in assisting his employer in the discharge of the employer's duties as a GMS practice, a PMS practice, an APMS contractor, an OOH provider, a Primary Care Trust or a Local Health Board; or</p> <p>(m) is participating in a Doctors' Retainer Scheme;</p>
--	---	---

	employment is wholly or mainly engaged assisting his employer in the discharge of the employer's duties as a registered dentist;	
<b>Dentists</b>	<p><b>dentist'</b> means a registered dental practitioner;</p> <p>“<b>salaried dentist</b>” means a dentist employed by a Health Board who undertakes to provide general dental services at a health centre, hospital or from any vehicle or moveable facility;”.</p> <p><b>Dental list</b></p> <p>A list prepared in accordance with regulations made under section 25(2)(a) of the 1978 Act;</p>	<p><b>“dentist performer”</b> means a dental practitioner—</p> <p>(n) whose name is included in a dental performers list or who is a vocational trainee in the first two months of vocational training, and</p> <p>(o) who performs primary dental services under—</p> <p>(i) a GDS contract,</p> <p>(ii) a PDS agreement to which a PDS contractor is a party, or</p> <p>(iii) a contract for services with a Primary Care Trust or a Local Health Board which relates to arrangements under which it provides primary dental services under section 99(2) of the 2006 Act or section 56(2) of the 2006 (Wales) Act (primary dental services) or a PDS agreement to which a PDS contractor is not a party;</p>
<b>“employing authority”</b>	(a) A Health Board, Special Health Board or NHS National Services Scotland	<p><b>“employing authority”</b> means—</p> <p>(q) a Strategic Health</p>

	<p>(established under sections 2(5) and 10(6) of the 1978 Act); or</p> <p>(b) a person who is providing piloted services; or</p> <p>(c) the Mental Welfare Commission established under section 4 of the Mental Health (Care and Treatment) (Scotland) Act 2003(7); or</p> <p>(d) an OOH provider; or</p> <p>e) an HBPMS contractor; or</p> <p>(f) a GMS practice; or</p> <p>(g) a section 17C agreement provider; or</p> <p>(h) any other body constituted under an Act relating to health services and which the Scottish Ministers agree to treat as an employing authority for the purposes of the scheme;</p> <p>(p) (i) in relation to a person who is subject to a direction made under section 7 of the Superannuation (Miscellaneous Provisions) Act 1967(8) and, subject to such modifications to these Regulations as the Secretary of State may in any particular case direct, any employer of such a person whom the Secretary of State agrees to treat as an employing authority for the purposes of these Regulations;</p>	<p>Authority established under section 13 of the 2006 Act;</p> <p>(r) a Special Health Authority established under section 28 of the 2006 Act or section 22 of the 2006 (Wales) Act 2006;</p> <p>(s) a Primary Care Trust established under section 18 of the 2006 Act;</p> <p>(t) a Local Health Board established under section 11 of the 2006 (Wales) Act;</p> <p>(u) a National Health Service trust established under section 25 of the 2006 Act or section 18 of the 2006 (Wales) Act;</p> <p>(v) an NHS foundation trust within the meaning of section 30(1) of the 2006 Act;</p> <p>(w) any other body which—</p> <p>(i) is constituted under an Act relating to health services; and</p> <p>(ii) the Secretary of State agrees to treat as an employing authority for the purposes of the Scheme,</p> <p>(x) an OOH provider;</p> <p>(y) an APMS contractor;</p> <p>(z) a GMS practice;</p> <p>(aa) a PMS practice;</p> <p>(bb) in relation to a person</p>
--	---	--

(5) Section 2 was amended by the National Health Service and Community Care Act 1990, sections 28, 66 and Schedules 9 and 10; the National Health Service Reform (Scotland) Act 2004 (asp 7), Schedule 2 and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) schedule 2.

(6) Section 10 was amended by the Health Act 1999 (c.8), section 65 and Schedule 4; the National Health Service Reform (Scotland) Act 2004 (asp 7), schedule 2; and the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), schedule 2.

(7) asp 13.

(8) 1967 c. 28.

		<p>who is subject to a direction made under section 7 of the Superannuation (Miscellaneous Provisions) Act 1967<sup>(9)</sup> and, subject to such modifications to these Regulations as the Secretary of State may in any particular case direct, any employer of such a person whom the Secretary of State agrees to treat as an employing authority for the purposes of these Regulations;</p> <p>(cc) in relation to officers of a hospital of such classes as may be provided in an agreement to participate in benefits under these Regulations pursuant to section 235 of the 2006 Act, and subject to such modifications to these Regulations as the Secretary of State may in any particular case direct, any employer of such a person whom the Secretary of State agrees to treat as an employing authority for the purposes of these Regulations;</p> <p>“employment” includes an office or appointment (other than an honorary office or appointment) and related expressions are to be read accordingly;</p>
--	--	--

---

<sup>(9)</sup> 1967 c. 28.