

## SCHEDULE

Saving and transitional provision in respect of Schedule 5 to the 2012 Act

### **Provision relating to paragraph 63 of Schedule 5**

**5.**—(1) This paragraph applies where a health record (within the meaning of the Access to Health Records Act 1990<sup>(1)</sup> (“the 1990 Act”)) was made before 1st April 2013 by a health professional (within the meaning of that Act) performing primary medical services—

- (a) under a general medical services contract with a Primary Care Trust; or
- (b) in accordance with arrangements made under section 92 or 107 of the 2006 Act with a Primary Care Trust or Strategic Health Authority.

(2) Where paragraph (1) applies, and on 1st April 2013 the rights and liabilities of the Trust or Authority under those arrangements have been transferred to the National Health Service Commissioning Board, the person or body who entered that contract or who made those arrangements with the Trust or Authority (or in the case where more than one person entered that contract or made those arrangements, any such person) continues to be the holder of the record for the purposes of the 1990 Act.

---

<sup>(1)</sup> 1990 c. 23.