



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 1

NATIONAL HEALTH SERVICE, ETC

NHS bodies and their functions: England

^{F1}1 English Health Authorities: change of name

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Textual Amendments

F1 S. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

2 Primary Care Trusts

^{F2}(1)

^{F2}(2)

^{F2}(3)

^{F2}(4)

(5) Schedule 2 (which contains amendments of the 1977 Act and of other enactments to reallocate functions of Health Authorities to Primary Care Trusts and to make certain connected amendments) is to have effect.

Status: Point in time view as at 01/03/2007. This version of this part contains provisions that are prospective.
Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, Part 1 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F2 S. 2(1)-(4) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\), Sch. 4](#) (with [Sch. 2 Pt. 1, Sch. 3 Pt. 1](#))

Commencement Information

I1 S. 2 wholly in force at 1.10.2002; s. 2 not in force at Royal Assent, see s. 42(3); s. 2 in force for certain purposes for E. at 2.9.2002 by [S.I. 2002/2202, art. 3\(b\)](#) and in force at 1.10.2002 insofar as not already in force by [S.I. 2002/2478, art. 3\(1\)\(a\)](#)

F3 3 Directions: distribution of functions

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Textual Amendments

F3 S. 3 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\), Sch. 4](#) (with [Sch. 2 Pt. 1, Sch. 3 Pt. 1](#))

4 Personal medical services, personal dental services and local pharmaceutical services

F4(1)

F5(2)

(3) Schedule 3 (which contains amendments of the National Health Service (Primary Care) Act 1997 and of other enactments related to the provisions of this section and sections 1 to 3) is to have effect.

Textual Amendments

F4 S. 4(1) repealed (1.4.2006 for E., 1.4.2006 for W. for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), s. 199\(1\)\(4\), Sch. 14 Pt. 4; S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7\(2\)\(m\); S.I. 2006/1407, art. 1\(1\), Sch. 1 Pt. 2 para. 13](#) (with [art. 4](#))

F5 S. 4(2) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\), Sch. 4](#) (with [Sch. 2 Pt. 1, Sch. 3 Pt. 1](#))

F6 5 Local Representative Committees

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Textual Amendments

F6 S. 5 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\), Sch. 4](#) (with [Sch. 2 Pt. 1 Sch. 3 Pt. 1](#))

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NHS bodies and their functions: Wales

F76 Local Health Boards

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Textual Amendments

F7 Ss. 6-10 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

Financial arrangements: England and Wales

F77 Funding of Strategic Health Authorities and Health Authorities

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Textual Amendments

F7 Ss. 6-10 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F78 Funding of Primary Care Trusts

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Textual Amendments

F7 Ss. 6-10 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F79 Funding of Local Health Boards

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Textual Amendments

F7 Ss. 6-10 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F710 Expenditure of NHS bodies

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Textual Amendments
F7 Ss. 6-10 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

Quality

PROSPECTIVE

F8 11 Duty of quality
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Textual Amendments
F8 Ss. 11-14 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

F8 12 Further functions of the Commission for Health Improvement
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Textual Amendments
F8 Ss. 11-14 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

F8 13 Commission for Health Improvement: inspections and investigations
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Textual Amendments
F8 Ss. 11-14 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

F8 14 Commission for Health Improvement: constitution
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Textual Amendments
F8 Ss. 11-14 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

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Patient and public involvement

F⁹15 Establishment of Patients' Forums

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Textual Amendments

F9 Ss. 15-18 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F⁹16 Additional functions of PCT Patients' Forums

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Textual Amendments

F9 Ss. 15-18 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F⁹17 Entry and inspection of premises

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Textual Amendments

F9 Ss. 15-18 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F⁹18 Annual reports

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Textual Amendments

F9 Ss. 15-18 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

19 Supplementary

- F¹⁰(1)
- F¹⁰(2)
- F¹⁰(3)
- F¹⁰(4)
- F¹⁰(5)

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- (6) In section 134 of the Mental Health Act 1983 (c. 20) (correspondence of patients), in subsection (3)(e), after “Community Health Council” there is inserted “, a Patients’ Forum”.
- (7) In Schedule 1 to the Freedom of Information Act 2000 (c. 36) (public authorities for the purposes of the Act), in Part 3 (National Health Service), after paragraph 41 there is inserted—

“41A A Patients’ Forum established under section 15 of the National Health Service Reform and Health Care Professions Act 2002.”

Textual Amendments

F10 S. 19(1)-(5) repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

Commencement Information

I2 S. 19 partly in force; s. 19 in force for certain purposes at Royal Assent, see s. 42(3)

I3 S. 19 in force at 1.9.2003 in so far as not already in force by S.I. 2003/2246, **art. 2(a)**

F11²⁰ The Commission for Patient and Public Involvement in Health

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Textual Amendments

F11 S. 20 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F12²¹ Overview and scrutiny committees

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Textual Amendments

F12 S. 21 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

22 Abolition of Community Health Councils in England

- F13**(1)
- F13**(2)
- F13**(3)

- (4) The National Assembly for Wales has as respects Wales the same power under that paragraph as it would have if no such body had been established.
- (5) The Secretary of State may by order make provision—

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- (a) as to the transfer to a person falling within subsection (6), on or after the abolition of a Community Health Council by subsection (1), of any of the rights or liabilities of a person as a member or former member of the Council,
 - (b) as to the transfer to a person falling within subsection (6) or to the National Assembly for Wales, on or after the abolition of ACHCEW, of any of the property held, rights enjoyed or liabilities incurred in respect of the functions of ACHCEW by a person as a member or former member of a Community Health Council which was a member of ACHCEW.
- (6) The following fall within this subsection—
- (a) the Secretary of State,
 - (b) [^{F14}a Strategic Health Authority] ,
 - (c) a Special Health Authority,
 - (d) an NHS trust,
 - (e) a Primary Care Trust.
- (7) Before exercising the power conferred by subsection (5)(b) the Secretary of State must consult the National Assembly for Wales.

^{F15}(8)

^{F16}(9)

Textual Amendments

- F13** S. 22(1)-(3) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))
- F14** Words in s. 22(6)(b) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 1 para. 226** (with [Sch. 3 Pt. 1](#))
- F15** S. 22(8) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))
- F16** S. 22(9) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

Commencement Information

- I4** S. 22 partly in force; s. 22 in force for certain purposes at Royal Assent, see s. 42(3)
- I5** S. 22 in force at 1.12.2003 in so far as not already in force by [S.I. 2003/3083](#), **art. 2**

Joint working

^{F17}**23 Joint working with the prison service**

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Textual Amendments

- F17** S. 23 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

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F18 24 Health and well-being strategies in Wales

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<p>Textual Amendments</p> <p>F18 S. 24 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)</p>
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