



# 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*

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**F1** S. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))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

**<sup>F2</sup>(1)** .....

**<sup>F2</sup>(2)** .....

**<sup>F2</sup>(3)** .....

**<sup>F2</sup>(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*Status: Point in time view as at 16/03/2015. This version of this part contains provisions that are prospective.*

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**F2** S. 2(1)-(4) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

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**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**F3** S. 3 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))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**F4** S. 4(1) repealed (1.4.2006 for E., 1.4.2006 for W. for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006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**  
 .....

**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**  
 .....

**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**  
 .....

**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**  
 .....

**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

### F<sup>9</sup>15 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](#))

### F<sup>9</sup>16 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](#))

### F<sup>9</sup>17 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](#))

### F<sup>9</sup>18 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

- F<sup>10</sup>(1) .....
- F<sup>10</sup>(2) .....
- F<sup>10</sup>(3) .....
- F<sup>10</sup>(4) .....
- F<sup>10</sup>(5) .....

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- F11(6) .....
- F12(7) .....

**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)

**F11** S. 19(6) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 18 Pt. 18**; S.I. 2008/461, art. 2(3), Sch.

**F12** S. 19(7) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 18 Pt. 18**; S.I. 2008/461, art. 2(3), Sch.

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**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)**

**F13 20 The Commission for Patient and Public Involvement in Health**

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**Textual Amendments**

**F13** 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)

**F14 21 Overview and scrutiny committees**

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**Textual Amendments**

**F14** 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**

- F15(1) .....
- F15(2) .....
- F15(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—

- (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,

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- (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) [<sup>F16</sup>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.

<sup>F17</sup>(8) .....

<sup>F18</sup>(9) .....

**Textual Amendments**

- F15** 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](#))
- F16** 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](#))
- F17** 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](#))
- F18** 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*

<sup>F19</sup>**23 Joint working with the prison service**

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**Textual Amendments**

- F19** 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](#))

<sup>F20</sup>**24 Health and well-being strategies in Wales**

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### Textual Amendments

- F20** 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](#))



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