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STATUTORY INSTRUMENTS

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**2002 No. 1167 (C.29)**

**HEALTH CARE AND  
ASSOCIATED PROFESSIONS**

**The Health Act 1999 (Commencement No. 12) Order 2002**

*Made* - - - - *27th March 2002*

The Secretary of State for Health, in exercise of the powers conferred on him by section 67(1) and (2) of the Health Act 1999<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and interpretation**

- 1.—(1) This Order may be cited as the Health Act 1999 (Commencement No. 12) Order 2002.
- (2) In this Order, “the Act” means the Health Act 1999.

**Appointed day**

2.—(1) 1st April 2002 is the day appointed for the coming into force of section 60(3) of the Act in so far as it relates to the provisions mentioned in articles 3, 4 and 5.

3. The following provisions of the Nurses, Midwives and Health Visitors Act 1997—

- (a) sections 1 to 8; 10; 11; 14; 15; 17 to 20; in 22(1), the definitions of “by order”, “the Central Council” and “the Council”, “elected members” and “electoral scheme”, “the National Boards” and “the Boards”, “prescribed” and “rules”, 22(2), and 22(3); and 24(2) to (5); Schedule 1; Schedule 2; Schedule 3; and paragraphs 1 and 2 of Schedule 4.

4. The following provisions in the Professions Supplementary to Medicine Act 1960—

- (a) sections 1; 2(1) to (4); 3; 4; 5; 8; 9(1), (2), (5) and (6)(2); 11; 12; the First Schedule; and the Second Schedule.

5. In Schedule 5 to the Act the repeals relating to the provisions specified in articles 3 and 4 to the extent specified in that article.

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(1) 1999 c. 8.

(2) Section 10 was repealed on 1st July 1999 see section 67(3) of the Act.

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27th March 2002

*Alan Milburn*  
One of Her Majesty's Principal Secretaries of  
State,  
Department of Health

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order brings into force on 1st April 2002 section 60(3) of the Health Act 1999 (partially) and repeals in Schedule 5 to the Act (partially). The effect is that certain provisions in the Nurses, Midwives and Health Visitors Act 1997 and the Professions Supplementary to Medicine Act 1960 are repealed in consequence of the coming into force of the Nursing and Midwifery Order 2001 (S.I.2002/253) and the Health Professions Order 2001 (S.I. 2002/254). Other provisions in the 1997 and 1960 Acts were repealed by virtue of S.I. 2001/1985.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS***(This note is not part of the Order)*

The following provisions of the Health Act 1999 have been, or are to be, brought into force by commencement order made before the date of this Order. In addition to the provisions listed below, various provisions of Part II of, and Schedules 4 and 5 to, the Act that extend only to Scotland have been brought into force on 1st October 1999 by the [Health Act 1999 \(Commencement No. 4\) \(Scotland\) Order 1999, S.S.I. 1999/90 \(C.66\)](#), on 14th October 1999 by the [Health Act 1999 \(Commencement No. 6\) \(Scotland\) Order 1999, S.S.I. 1999 No. 115 \(C.73\)](#) and on 1st March 2000 by the [Health Act 1999 \(Commencement No. 7\) \(Scotland\) Order 2000, S.S.I. 2000 No. 38 \(C.2\)](#).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.1 as to England	1.10.99	1999/2540
as to Wales	1.4.00	2000/1026
s.2 as to England		
(partially)	8.9.99	1999/2342
(remainder)	4.1.00	1999/2342
s.3 as to England	1.4.00	1999/2342
s.4 as to England		
(partially)	1.9.99	1999/2342
(remainder)	1.4.00	1999/2342
s.5 as to England (partially)	4.1.00	1999/2342
s.6(1) as to England	4.1.00	1999/2342
s.7 as to England	4.1.00	1999/2342
s.8 as to England	1.9.99	1999/2342
s.9 as to England	1.4.00	1999/2793
as to Wales	1.4.00	2000/1041
s.11 as to England	1.9.99	1999/2342

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
as to Wales	1.4.00	2000/1026
s.12 as to England		
(partially)	1.9.99	1999/2342
(remainder)	4.1.00	1999/2342
as to Wales (partially)	1.12.99	1999/3184
ss.13 and 14 as to England	1.10.99	1999/2540
as to Wales	1.11.99	1999/3184
ss.15 to 17 as to England	1.9.99	1999/2342
as to Wales	1.11.99	1999/3184
s.18 as to England		
(partially)	1.11.99	1999/2793
(remainder)	4.1.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184
s.19	1.11.99	1999/2793
s.20 as to England and Wales (partially)	1.11.99	1999/2793
as to England (remainder)	4.1.00	1999/2793
s.21 as to England	4.1.00	1999/2793
as to Wales	1.4.00	2000/1041
ss.23 to 25	1.11.99	1999/2793
ss.26 to 27 as to England	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
s.28 as to England	1.4.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184
s.29 as to England		
(partially)	1.11.99	1999/2793
(remainder)	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
ss.30 to 32 as to England	1.4.00	1999/2793
ss.30 and 31 as to Wales (partially)	1.12.00	2000/2991
s.32 as to Wales	1.1.01	2000/2991
s.33(1) to (6) (partially)	1.9.99	1999/2177
s.34 (partially)	3.8.99	1999/2177
(remainder)	1.11.99	1999/2177

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.36 (partially)	3.8.99	1999/2177
s.37 (partially)	3.8.99	1999/2177
s.37(1) to (9) (remainder)	1.11.99	1999/2177
s.38 (partially)	3.8.99	1999/2177
(partially)	1.9.99	1999/2177
(partially)	1.11.99	1999/2177
s.39 as to England	1.11.99	1999/2793
as to Wales	9.2.01	2001/270
s.41	1.4.00	1999/2793
ss.42 to 44	1.10.99	1999/2540
s.60 (partially)	15.3.00	2000/779
(partially)	11.5.01	2001/1985
s.62	3.8.99	1999/2177
s.63	3.8.99	1999/2177
s.64	3.8.99	1999/2177
Schedule 1		
as to England (partially)	8.9.99	1999/2342
as to England (partially)	4.1.00	1999/2342
as to England (remainder)	1.4.00	1999/2342
Schedule 2		
as to England and Wales	1.11.99	1999/2793
paragraphs 15 to 19 as to Scotland	11.5.01	2001/1985
paragraphs 17 to 19 as to Northern Ireland	11.5.01	2001/1985
Schedule 4 (and s.65(1) in so far as it relates to the paragraphs specified below)—		
paragraphs 4 (partially), 6, 9 (partially), 12(1) (partially), 12(3)(b), 24, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 37(5) and (6), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 84, 88(1) (partially) and 88(5) as to England	1.9.99	1999/2342

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 8 (partially), 15, 27(a) (partially), 71 (partially), 83(1) (partially), 83(6), 85(1) (partially), 85(3) and (4), 88(1) (partially), 88(6) and 90 as to England	1.10.99	1999/2540
paragraphs 4 (partially), 14(1), (3) and (4) (partially), 14(2) and paragraph 36 as to England	1.11.99	1999/2793
paragraphs 74 (partially), 76(a) (ii), 81(1) (partially) and 81(2) (b) as to England and Wales	1.11.99	1999/2793
paragraphs 4 (partially), 37(1) (partially), 37(5) and (6), 79(1) (partially) and 79(2)(a) and (c) as to Wales	1.11.99	1999/3184
paragraphs 4 (partially), 5, 6, 9 (partially), 12(1) (partially), 12(3)(b), 15, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 88(1) (partially) and 88(5) as to Wales	1.12.99	1999/3184
paragraphs 1, 3, 4 (partially), 5, 7, 9 (remainder), 10, 11, 12 (remainder), 13, 23, 25, 27(a) (remainder), 28, 29, 30 (remainder), 34 (remainder), 37 (remainder), 38(1) (partially), 38(2)(a) and (c), 38(3) (remainder), 40, 71 (remainder), 74 (partially), 77 to 79, 81 (except (2)(b)), 83(1) to (5) and (7) (remainder), 87, 88(1) to (5) (remainder) and 89 as to England	4.1.00	1999/2342
paragraphs 74 (partially), 76(a) (i), 85(1) (partially) and 85(2) (a) as to England and Wales	4.1.00	1999/2342
paragraphs 4 (partially) and 16 as to England	4.1.00	1999/2540

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 4 (partially), 31 (remainder), 33 and 35 as to England	1.4.00	1999/2342
paragraphs 4 (partially), 14 (remainder) and 72 as to England	1.4.00	1999/2793
paragraphs 73, 74 (partially), 82 and 86 as to England and Wales	1.4.00	1999/2342
paragraphs 4 (partially), 27(b), 38(1) (partially), 38(2)(b) and (d) and 65 to 69 as to England and Wales	1.4.00	1999/2793
paragraphs 4 (partially), 8 (partially), 24, 27(a) (partially), 71(a) and (b), 74 (partially), 83(6), 84, 85(4) and 90 as to Wales	1.4.00	2000/1026
paragraphs 4 (partially) and 14 (partially) as to Wales	1.12.00	2000/2991
paragraphs 4 (partially), 14 (partially) and 72 as to Wales	1.1.01	2000/2991
paragraphs 73 and 86 (as to Scotland and Northern Ireland)	11.5.01	2001/1985
Schedule 5 (and s.65(2))—		
as to England (partially)	1.10.99	1999/2540
as to England (partially)	1.11.99	1999/2793
as to England and Wales (partially)	1.11.99	1999/2793
as to England and Wales (partially)	1.4.00	1999/2793
as to the United Kingdom (partially)	1.11.99	1999/2793
as to England and Wales (partially)	1.4.00	2000/1041
as to England and Wales (partially)	9.2.01	2001/270
as to the United Kingdom (partially)	11.5.01	2001/1985