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STATUTORY INSTRUMENTS

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**2006 No. 1407**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The National Health Service (Pre-  
consolidation Amendments) Order 2006**

*Made - - - - 25th May 2006*

*Coming into force in accordance with article 1(1)*

**THE NATIONAL HEALTH SERVICE (PRE-  
CONSOLIDATION AMENDMENTS) ORDER 2006**

1. Citation, commencement, extent and application
  2. Amendments of the legislation relating to the health service in England and Wales
  3. Repeals and revocations of legislation relating to the health service in England and Wales
  4. Saving
  5. National Assembly for Wales (Transfer of Functions) Order 1999
- Signature

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SCHEDULE 1 — Amendments of health service legislation

PART 1 — Amendments to the National Health Service Act 1977

1. The National Health Service Act 1977 is amended as follows...
2. In section 3(1) (services generally)— (a) in paragraph (d) after...
3. In section 15 (duties in relation to family health services)...
4. In section 16(1) (exercise of functions by health authorities and...
5. In section 16BC(1) (exercise of functions by Local Health Boards)...
6. In section 16D (directions as to distribution of functions)—
7. In section 17 (directions as to exercise of functions) omit...
8. In section 18(3)(b) (directions and regulations) omit “given by an...
9. In section 21 (local social services authorities) after subsection (3)...
10. Omit sections 23(4) and 27(5) (power to provide for modifications...
11. In section 26 (supply of goods and services)—
12. In section 28A(2)(b) (power to make payments towards expenditure on...

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13. In section 28D(2) (persons with whom agreements for the provision...
14. In section 28EE(2) (delegation of functions relating to section 28C...
15. For section 28I (use of accommodation) substitute— (1) If the Secretary of State considers that any accommodation...
16. In section 28M(4) (persons eligible to enter into GDS contracts)...
17. In section 28X (persons performing primary medical and dental services) —...
18. In section 28Y(1) (assistance and support) after paragraph (b) add—...
19. For sections 43A and 43B (remuneration for services) substitute— Remuneration...
20. In section 44 (recognition of local representative committees)—
21. In section 45 (functions of local representative committees)—
22. In section 49H(1)(b) (fraud and unsuitability cases: supplementary) for “carrying...
23. In section 83A(1) (remission and repayment of charges and payment...
24. In section 85(1) (default powers) for “or Part 1 of...
25. In section 86 (emergency powers)— (a) for “, or the...
26. Omit section 89 (power of voluntary organisations to transfer property)....
27. In section 96 (trusts: supplementary provisions) after subsection (3) add —...
28. Omit section 99 (regulation of financial arrangements).
29. In section 100 (payments)— (a) in subsection (1) omit “with...
30. In section 102 (allowances and remuneration for members of certain...
31. In section 103(1) (special arrangements as to payment of remuneration)...
32. In section 123(2) (persons displaced by health service development) omit...
33. In section 124(4) (special notices of births and deaths) for...
34. In section 125 (protection of members and officers of authorities),...
35. In section 126(4) (orders and regulations, and directions) for “conferred...
36. Omit both subsections (4A) of section 126.
37. In section 127 (supplementary regulatory powers), omit paragraph (c).
38. In section 128 (interpretation and construction)— (a) for the definition...
39. In Schedule 5 (provisions about Strategic Health Authorities and Special...
40. In Schedule 9A (Family Health Services Appeal Authority)—
41. In Schedule 11 (additional provisions as to the control of...
42. In Schedule 12 (additional provisions as to charges)—
  1. The Ministry of Health Act 1919 is repealed.
  2. Omit section 3 of the National Health Service and Community...
  3. Sections 21(1) and (3) and 22(1) of, and paragraphs 3...
  4. In section 40(2) of that Act omit the words “except...
  5. In section 28(10) of the Health Act 1999 (plans for...
  6. The following provisions of that Act come into force to...
  7. In section 41 of the Health and Social Care Act...
  8. The following provisions of that Act come into force to...
  9. In section 38(11) of the National Health Service Reform and...
  10. In Schedule 3 to that Act (amendments relating to personal...
  11. In Schedule 6 to that Act (the Commission for Patient...
  12. The following provisions of that Act come into force to...
  13. The following provisions of the Health and Social Care (Community...
  14. In section 195(2) of that Act (orders and regulations) after...
  15. In section 41(3) of the Health Act 2006 (insertion of...

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## Explanatory Note