
STATUTORY INSTRUMENTS

2007 No. 1818

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment No.2) Regulations 2007

<i>Made</i>	- - - -	<i>24th June 2007</i>
<i>Laid before Parliament</i>		<i>29th June 2007</i>
<i>Coming into force</i>	- -	<i>1st October 2007</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 7, 8, 73, 272(7) and (8) and 273(1) and (4) of the National Health Service Act 2006(1):

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment No. 2) Regulations 2007 and shall come into force on 1st October 2007.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002(2).

(3) These Regulations apply in relation to England.

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) of the principal Regulations (interpretation), after the definition of “the 2002 Act”, insert—

““the 2006 Act” means the National Health Service Act 2006;”.

(1) 2006 c.41. See section 275(1) for the definition of “regulations”.
(2) S.I. 2002/2375. Relevant amending instruments are S.I. 2003/1497, 2004/865, 2006/359 and 2007/559.

Amendment of regulation 6 of the principal Regulations

3. At the end of regulation 6 of the principal Regulations (limitations and restrictions on the exercise of functions relevant to both Strategic Health Authorities and Primary Care Trusts), add the following paragraph—

“(6) The Secretary of State’s function under paragraph 11(3) of Schedule 3 to the 2006 Act (remuneration, pensions etc of members) is to be exercisable by a Strategic Health Authority or Primary Care Trust only in relation to an Executive Committee appointed under regulation 9(1) of the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000(3) (appointment of committees and sub-committees).”.

Amendment of Schedule 1 to the principal Regulations

4. At the end of Part 2 of Schedule 1 to the principal Regulations (Secretary of State Functions Exercisable by (A) Primary Care Trusts and (B) Strategic Health Authorities for Specified Purposes Only)—

(a) in column (1), add the following entry—

“The 2006 Act—

Schedule 3, paragraph 11(3)”;

(b) in column (2), add the following entry—

“Determination of travelling and other allowances payable to members of a committee of a Primary Care Trust”.

Signed by authority of the Secretary of State for Health

24th June 2007

Andy Burnham
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to England, further amend the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002 (“the principal Regulations”).

Regulation 4 amends the principal Regulations so that the Secretary of State’s function of determining travelling and other allowances payable to members of committees of Primary Care Trusts is exercisable (1) by Strategic Health Authorities, for performance management purposes specified in regulation 3(2) of the principal Regulations, and (2) by Primary Care Trusts. By regulation 3 the function is exercisable only in relation to members of Executive Committees of Primary Care Trusts.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.