

STATUTORY INSTRUMENTS

2019 No. 777

The National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc.) (EU Exit) Regulations 2019

PART 2

Amendments to primary legislation

The Health and Social Security Act 1984

- 2.—(1) The Health and Social Security Act 1984 ^{M1} is amended as follows.
- (2) Omit section 10 (reimbursement of cost of medical and maternity treatment in member States of European Economic Community).
- (3) In section 26(4) (extent) omit “section 10”.

Commencement Information

- I1** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M1** [1984 c.48](#). Functions under section 10 were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, [S.I. 1999/672](#); those functions are now exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the [Government of Wales Act 2006 \(c.32\)](#).

The National Health Service Act 2006

3. In the NHS Act 2006 omit the following provisions—
- (a) section 6A (reimbursement of cost of services provided in another EEA state) ^{M2};
 - (b) section 6B (prior authorisation for the purposes of section 6A) ^{M3};
 - (c) section 6BA (reimbursement of cost of services provided in another EEA state where expenditure incurred on or after 25 October 2013) ^{M4};
 - (d) section 6BB (prior authorisation for the purposes of section 6BA) ^{M5};
 - (e) section 6D (regulations relating to EU obligations) ^{M6};
 - (f) section 6E(7)(b) (regulations as to the exercise of functions by the Board or clinical commissioning groups) ^{M7};
 - (g) section 183(a)(ii) (payment of travelling expenses) ^{M8};
 - (h) the definition of “Regulation [\(EC\) No. 883/2004](#)” in section 275(1) (interpretation) ^{M9} except in so far as it relates to section 183(a)(iii).

Commencement Information

- I2** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

- M2** Section 6A was inserted by S.I. 2010/915 and amended by paragraph 3 of Schedule 4 to the Health and Social Care Act 2012 (c.7) (“the 2012 Act”) and S.I. 2013/2269.
- M3** Section 6B was inserted by S.I. 2010/915 and amended by paragraph 4 of Schedule 4 to the 2012 Act.
- M4** Section 6BA was inserted by S.I. 2013/2269.
- M5** Section 6BB was inserted by S.I. 2013/2269.
- M6** Section 6D was inserted by section 19 of the 2012 Act.
- M7** Section 6E was inserted by section 20 of the 2012 Act.
- M8** Section 183(a) was substituted by S.I. 2010/915 and amended by paragraph 98 of Schedule 4 to the 2012 Act and by S.I. 2013/2269.
- M9** The definition was inserted by S.I. 2010/915.

The National Health Service (Wales) Act 2006

- 4.—(1) The NHS (Wales) Act is amended as follows.
- (2) In section 46 (GMS contracts: prescription of drugs, etc)—
- (a) in subsection (3), for “Community marketing authorization or United Kingdom” substitute “UK”;
 - (b) for subsection (4) substitute—

“(4) “UK marketing authorisation” has the meaning given by regulation 8(1) of the Human Medicines Regulations 2012 (S.I. 2012/1916).”.
- (3) Omit the following provisions—
- (a) section 6A (reimbursement of cost of services provided in another EEA state) ^{M10};
 - (b) section 6B (prior authorisation for the purposes of section 6A) ^{M11};
 - (c) section 6BA (reimbursement of cost of services provided in another EEA state where expenditure incurred on or after 25 October 2013) ^{M12};
 - (d) section 6BB (prior authorisation for the purposes of section 6BA) ^{M13};
 - (e) section 131(a)(ii) (payment of travelling expenses) ^{M14};
 - (f) the definition of “Regulation (EC) No. 883/2004” in section 206(1) (interpretation) ^{M15} except in so far as it relates to section 131(a)(iii).

Commencement Information

- I3** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

- M10** Section 6A was inserted by S.I. 2010/915 and amended by S.I. 2013/2269.
- M11** Section 6B was inserted by S.I. 2010/915 and amended by S.I. 2013/2269.
- M12** Section 6BA was inserted by S.I. 2013/2269.
- M13** Section 6BB was inserted by S.I. 2013/2269.
- M14** Section 131(a) was substituted by S.I. 2010/915 and amended by S.I. 2013/2269.

M15 The definition was inserted by [S.I. 2010/915](#).

The Health and Social Care Act 2012

5. In the Health and Social Care Act 2012 ^{M16} omit the following provisions—
- (a) section 124(9) (local modifications of prices: agreements);
 - (b) section 125(9) (local modifications of prices: applications).

Commencement Information

I4 Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M16 [2012 c.7](#).

The Cities and Local Government Devolution Act 2016

6. In the Cities and Local Government Devolution Act 2016 ^{M17} omit section 18(2)(b) (devolving health service functions).

Commencement Information

I5 Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

M17 [2016 c.1](#).

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Cross-Border Healthcare and Miscellaneous Amendments etc.) (EU Exit) Regulations 2019, PART 2.