

SCHEDULES

SCHEDULE 4

Transitional provision

PART 2

Other transitional provision

Specific provision

3.—(1) This paragraph applies to any authorisation under Article 3(1) of the 1994 Order that is in effect on the day on which the repeal of that Article comes into operation and provides for an HSC trust to exercise any function other than a social care and children function (within the meaning of Article 10A of the 1991 Order).

(2) The authorisation has effect after that day, so far as it relates to that function, as if it were a delegation direction under Article 10B(1) of the 1991 Order.

(3) Accordingly, so far as is necessary for the purposes of sub-paragraph (2)—

- (a) any provision made by such an authorisation in relation to the Regional Board has effect in relation to the Department;
- (b) any reference to the Regional Board is to be read as, or as including, a reference to the Department;
- (c) (in accordance with paragraph (b)) any reference to a function exercised on behalf of the Regional Board is to be read as, or as including, a reference to a function exercised on behalf of the Department.

(4) Anything which before that day was done by or in relation to the Regional Board in relation to any function exercised on its behalf by an HSC trust by virtue of such an authorisation, if in effect immediately before that day, is to continue to have effect to the same extent and subject to the same provisions as if it had been done by, or in relation to, the Department.

(5) Anything (including any legal proceedings) in the process of being done by or in relation to the Regional Board immediately before that day may, so far as it relates to any function exercised on behalf of the Board by an HSC trust by virtue of such an authorisation, be continued by or in relation to the Department.

(6) Any reference in any statutory provision or statutory document to an authorisation under Article 3(1) of the 1994 Order is to be read as, or as including, a reference to a delegation direction under Article 10B(1) of the 1991 Order.

4.—(1) This paragraph applies to any direction that was given under Article 57C(1) of the 1972 Order and is in force on the date on which paragraph 25 of Schedule 1 comes into operation.

(2) Any direction to which this paragraph applies is to continue in force after that date (unless revoked) as if it were a scheme made under that Article as amended by paragraph 25 of Schedule 1.

5.—(1) This paragraph applies to any scheme that was made under an order under Schedule 9 to the 1972 Order and is in force on the date on which paragraph 51 of Schedule 1 comes into operation.

(2) Any scheme to which this paragraph applies is to continue in force after that date as if it were a scheme provided for in regulations made by the Department under paragraph 1A of Schedule 9 to the 1972 Order.

(3) Nothing in sub-paragraph (2) prevents the Department from revoking such a scheme by regulations made under paragraph 1A of Schedule 9 to the 1972 Order.