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**Changes to legislation:** *National Health Service (Amendment) Act 1995, Section 3 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# National Health Service (Amendment) Act 1995

1995 CHAPTER 31

*England and Wales*

## **3 Appeals against disqualification: removal of appeal to Secretary of State.**

- (1) In section 46 of the <sup>M1</sup>National Health Service Act 1977 (disqualification of persons providing services), subsection (3) (right of appeal to Secretary of State from direction of Tribunal) shall cease to have effect.
- (2) In that section, for subsection (4) there shall be substituted—
  - “(4) Subject to subsection (5) below, where the Tribunal direct that the name of any person be removed from or not included in any list or lists, the Health Authority or Health Authorities concerned shall remove the name of the person concerned from the list or lists in question.
  - (5) Subsection (4) above shall not apply—
    - (a) where no appeal is brought against the decision to make the direction, until the end of the period for bringing an appeal, and
    - (b) where an appeal is brought against that decision, until the appeal process has been exhausted.”

### **Marginal Citations**

**M1** 1977 c. 49.

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**Changes and effects yet to be applied to :**

- s. 3 repealed by [1999 c. 8 Sch. 5](#)

**Commencement Orders yet to be applied to the National Health Service (Amendment) Act 1995**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2003/53 art. 2-4](#) commences ([2001 c. 15](#))