



Health Act 1999

1999 CHAPTER 8

PART III

MISCELLANEOUS AND SUPPLEMENTARY

Final provisions

VALID FROM 01/07/1999

65 Amendments and repeals.

- (1) Schedule 4 (amendments of enactments) is to have effect.
- (2) The repeals set out in Schedule 5 (which include the repeal of an enactment which is spent) are to have effect.

Commencement Information

- II** S. 65 partly in force; s. 65(2) in force at 1.7.1999 for certain purposes, see s. 67(1)(3); s. 65 in force for further purposes as follows: for E. at 1.9.1999 by [S.I. 1999/2342, art. 2\(1\), Sch. 1](#); for E. at 1.10.1999 by [S.I. 1999/2540, art. 2\(1\)\(a\), Sch. 1](#); for S. at 1.10.1999 by [S.S.I. 1999/90, art. 2\(1\)\(a\), Sch. 1](#); for E. at 1.11.1999 by [S.I. 1999/2793, art. 2\(1\)\(a\), Sch. 1](#); for E.W. at 1.11.1999 by [S.I. 1999/2793, art. 2\(1\)\(b\), Sch. 2](#); at 1.11.1999 by [S.I. 1999/2793, art. 2\(1\)\(d\)](#); for W. at 1.11.1999 by [S.I. 1999/3184, art. 2\(1\), Sch. 1](#); for W. at 1.12.1999 by [S.I. 1999/3184, art. 2\(2\), Sch. 2](#); for E. at 4.1.2000 by [S.I. 1999/2342, art. \(2\)\(3\)\(a\), Sch. 2](#); for E.W. at 4.1.2000 by [S.I. 1999/2342, art. 2\(3\)\(b\)](#); for E. at 4.1.2000 by [S.I. 1999/2540, art. 2\(2\)](#); for E. at 1.4.2000 by [S.I. 1999/2342, art. 2\(4\)\(a\), Sch. 3](#); for E.W. at 1.4.2000 by [S.I. 1999/2342, art. 2\(4\)\(b\)](#); for E.W. at 1.4.2000 by [S.I. 1999/2793, art. 2\(3\)\(a\)\(c\), Sch. 3](#); for W. at 1.4.2000 by [S.I. 2000/1026, art. 2\(1\), Sch.](#); for E.W. at 1.4.2000 by [S.I. 2000/1041, art. 2\(c\)](#); for W. at 1.12.2000 by [S.I. 2000/2991, art. 2\(1\), Sch. 1](#); for W. at 1.1.2001 by [S.I. 2000/2991, art. 2\(2\), Sch. 2](#); for E.W. at 9.2.2001 by [S.I. 2001/270, art. 2\(b\)](#); for S. at 31.1.2004 and 4.3.2004 by [S.S.I. 2004/32, art. 2\(1\)\(b\)\(2\)\(b\)](#); for E. at 1.8.2004 by [S.I. 2004/1859, arts. 4, 6](#)

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66 Devolution.

- (1) For the purposes of the ^{M1}Scotland Act 1998, any provision of this Act which extends to Scotland is to be taken to be a pre-commencement enactment within the meaning of that Act; but this subsection does not apply to section 22.
- (2) The power of a Minister of the Crown under section 67 to appoint a day for any of the following provisions to come into force in relation to Wales—
 - (a) sections 1 to 8 and 10 to 18 and Schedule 1,
 - (b) sections 26 to 32,
 - (c) section 65(1) and Schedule 4, so far as concerns the following provisions of that Schedule: paragraphs 1 to 16, 23 to 26, 27(a), 28 to 35, 37, 38 (except sub-paragraph (2)(b) and (d)), 39, 40, 71, 72, 74, 75, 76(b), 77 to 80, 81 (except sub-paragraph (2)(b)), 83, 84, 85 (except sub-paragraph (2)(a)) and 87 to 90, is exercisable instead by the National Assembly for Wales.
- (3) In Schedule 5 to the ^{M2}Government of Wales Act 1998 (bodies and offices covered by section 74), after paragraph 12 there is inserted—

“12A The Commission for Health Improvement.”

- (4) The National Assembly for Wales (Transfer of Functions) Order 1999 is amended as follows; and those amendments are to have effect as if made by an Order in Council under section 22 of the ^{M3}Government of Wales Act 1998 (transfer of Ministerial functions).
- (5) In Schedule 1—
 - (a) in the entry for the 1977 Act, after paragraph (c) there is inserted—
 - “(cc) section 43C;
 - (ccc) sections 46 to 49E”;
 - (b) at the end of the entry for the 1990 Act, there is inserted—

“The references above to paragraph 1 of Schedule 3 are references to that paragraph before the amendments made by section 17 of the ^{M4}Health Act 1999.

The Treasury consent requirement under paragraph 8 of that Schedule (inserted by Schedule 4 to the Health Act 1999), so far as relating to the matters referred to in paragraph (b) of that paragraph, shall continue in effect.”
 - (c) after the entry for the ^{M5}National Minimum Wage Act 1998 there is inserted—

“In the Health Act 1999—

 - (a) Part I and Schedule 4, except sections 20(1), 22 and 33 to 38 and Schedule 2 (other than paragraph 2);
 - (b) section 63, so far as it relates to any of the provisions which, by virtue of section 66(2), may be brought into force by the Assembly”.
- (6) In Schedule 2, after the entry for the ^{M6}Audit Commission Act 1998, there is inserted—

“Health Act 1999 (c.8)

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The functions of the Secretary of State under section 20(1) shall be exercisable only with the agreement of the Assembly.

The functions of the Secretary of State under paragraphs 4 to 7 of Schedule 2 shall be exercisable only after consultation with the Assembly.”

Subordinate Legislation Made

- P1** S. 66(2) power partly exercised (27.3.2000): 1.4.2000 appointed for specified provisions by S.I. 2000/1026, art. 2(1), Sch. (with art. 2(2))
S. 66(2) power partly exercised (7.11.2000): different dates appointed for specified provisions by S.I. 2000/2991, art. 2, Sch. 1, Sch. 2

Commencement Information

- I2** S. 66 partly in force; s. 66(1)(3)-(6) in force at Royal Assent and s. 66(2) in force at 1.7.1999 see s. 67(1)(4).

Marginal Citations

- M1** 1998 c.46.
M2 1998 c.38.
M3 S.I. 1999/672.
M4 1999 c.8.
M5 1998 c.39.
M6 1998 c.18.

67 Commencement.

- (1) The preceding provisions of this Act (including the Schedules) are to come into force on such day as the Secretary of State may by order appoint.
- (2) Different days may be appointed under this section for different purposes.
- (3) Subsection (1) does not apply to the repeal of section 10 of the ^{M7}Professions Supplementary to Medicine Act 1960 (power to extend or restrict application of Act), which comes into force on 1st July 1999 or, if later, on the day on which this Act is passed.
- (4) Subsection (1) does not apply to section 66, of which—
 - (a) subsections (1) and (3) to (6) come into force on the day on which this Act is passed,
 - (b) subsection (2) comes into force on 1st July 1999 or, if later, the day on which this Act is passed.

Subordinate Legislation Made

- P2** S. 67(1) power partly exercised as follows:
different dates appointed for specified provisions by S.I. 1999/2177, art. 2(2)(3);
different dates appointed for specified provisions by S.I. 1999/2342, art. 2, Schs. 1-3;
different dates appointed for specified purposes by S.I. 1999/2540, art. 2(1)(2), Sch. 1;
1.10.1999 appointed for specified provisions by S.S.I. 1999/90, art. 2, Sch. 1, 2;
14.10.1999 appointed for specified provisions by S.S.I. 1999/115, art. 2;
different dates appointed for specified provisions by S.I. 1999/2793, art. 2, Schs. 1-3;

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different dates appointed for specified provisions by [S.I. 1999/3184](#), [art. 2](#), [Schs. 1, 2](#);
 1.3.2000 appointed for specified provisions by [S.S.I. 2000/38](#), [art. 2](#);
 15.3.2000 appointed for specified provisions by [S.I. 2000/779](#), [art. 2\(1\)](#);
 1.4.2000 appointed for specified provisions by [S.I. 2000/1041](#), [art. 2](#), [Sch.](#);
 9.2.2001 appointed for specified provisions by [S.I. 2001/270](#), [art. 2](#);
 11.5.2001 appointed for specified provisions by [S.I. 2001/1985](#), [art. 2](#);
 1.4.2002 appointed for specified provisions by [S.I. 2002/1167](#), [art. 2](#)
 9.7.2003 for specified provision by [{S.I. 2003/1689}](#), [art. 2](#);
 1.4.2004 for specified provision by [{S.I. 2004/289}](#), [art. 2](#);
 31.1.2004 and 4.3.2004 for specified provisions by [{S.S.I. 2004/32}](#), [art. 2](#);
 1.8.2004 for specified provisions by [{S.I. 2004/1859}](#), [arts. 2-6](#);
 1.3.2007 for specified provisions by [{S.I. 2006/1407}](#);
 3.4.2007 for specified provisions by [{S.I. 2007/1179}](#), [art. 2](#)

Marginal Citations

M7 [1960 c.66](#).

68 Extent.

- (1) Subject to the following provisions—
 - (a) Part I extends only to England and Wales,
 - (b) Part II extends only to Scotland, and
 - (c) this Part extends to Northern Ireland (as well as to England and Wales and Scotland).
- (2) The amendment or repeal of an enactment, or a power to amend or repeal an enactment, which extends to any part of the United Kingdom extends also to that part.
- (3) Sections 22 and 25 extend to Scotland and Northern Ireland.
- (4) Sections 33 to 38 extend to Scotland and Northern Ireland.
- (5) The Secretary of State may by order provide that so much of this Act as extends to England and Wales is to apply to the Isles of Scilly with such modifications (if any) as are specified in the order; but otherwise this Act does not extend there.

69 Short title.

This Act may be cited as the Health Act 1999.

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