

HEALTH ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part I - the National Health Service

Section 44: Power to rectify transitional provisions etc.

290. **Section 44** enables the Secretary of State to make a retrospective Order to correct those deficiencies in the transitional arrangements made for the Health Authorities Act 1995, and in particular deficiencies which have been identified in the Health Authorities Act 1995 (Transitional Provisions) Order 1996, including the omission of Bromley Family Health Services Authority from Part III of Schedule 2 to the Order. The 1996 Order made transitional provision in connection with the abolition of Regional Health Authorities, District Health Authorities and Family Health Service Authorities and the establishment of Health Authorities by the Health Authority Act 1995.
291. This section enables the Secretary of State by order to ensure, amongst other things
- that Part II (family health service) practitioners are treated as having been included on the list of the appropriate authority in cases where they were not solely due to defects in the 1996 Order; and
 - that where appropriate, measures or action taken by the acting authority in relation to such Part II practitioners should be treated as having been carried out by, or on behalf of, the proper authority, or may continue to be treated as done by the acting authority.