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## SCHEDULES

### SCHEDULE 1

Section 1(3)

#### ENGLISH HEALTH AUTHORITIES: CHANGE OF NAME

#### PART 1

#### AMENDMENTS OF 1977 ACT

1 The 1977 Act is amended as follows.

##### Commencement Information

**II** Sch. 1 para. 1 wholly in force at 1.10.2002; Sch. 1 para. 1 not in force at Royal Assent, see s. 42(3); Sch. 1 para. 1 in force for certain purposes for E. at 2.9.2002 by S.I. 2002/2202, art. 3(a); Sch. 1 in force at 1.10.2002 insofar as not already in force by S.I. 2002/2478, art. 3(1)(c)

2 In section 12 (provision supplementary to sections 8 and 11), in subsection (2)(a), at the beginning there is inserted “Strategic Health Authorities and”.

3 In section 16 (exercise of functions)—

- (a) in subsection (1), after “exercisable by” there is inserted “ a Strategic Health Authority or ”,
- (b) in subsection (2)—
  - (i) before paragraph (a) there is inserted—  
“(za) by another Strategic Health Authority;”,
  - and
  - (ii) in paragraph (c), after “Local Health Boards” (inserted by paragraph 5 of Schedule 5) there is inserted “ , other Strategic Health Authorities ”, and
- (c) in subsection (4)(a), before “Health Authority” (in both places) there is inserted “ Strategic Health Authority or ”.

##### Commencement Information

**I2** Sch. 1 para. 3 wholly in force at 1.10.2002; Sch. 1 para. 3 not in force at Royal Assent, see s. 42(3); Sch. 1 para. 3 in force for E. at 2.9.2002 by S.I. 2002/2202, art. 3(a); Sch. 1 in force at 1.10.2002 insofar as not already in force by S.I. 2002/2478, art. 3(1)(c)

4 In section 16B (exercise of functions by Primary Care Trusts)—

- (a) in subsection (2)(c), after “following:” there is inserted “ Strategic Health Authorities, ”, and
- (b) in subsection (3)(c), after “one or more” there is inserted “ Strategic Health Authorities, ”.

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#### Commencement Information

**I3** Sch. 1 para. 4 wholly in force at 1.10.2002; Sch. 1 para. 4 not in force at Royal Assent, see s. 42(3); Sch. 1 para. 4 in force for E. at 2.9.2002 by S.I. 2002/2202, art. 3(a); Sch. 1 in force at 1.10.2002 insofar as not already in force by S.I. 2002/2478, art. 3(1)(c)

- 5 In section 16C (advice for Health Authorities and Primary Care Trusts)—
- (a) in subsection (1), after “Every” there is inserted “ Strategic Health Authority and every ”, and
  - (b) in subsection (2), before “Health Authorities” there is inserted “ Strategic Health Authorities and ”.
- 6 In section 16D (Secretary of State’s directions: distribution of functions)—
- (a) in subsection (1), after “direct a” there is inserted “ Strategic Health Authority, ”, and
  - (b) in subsection (2), after “of a” there is inserted “ Strategic Health Authority or ”.

#### Commencement Information

**I4** Sch. 1 para. 6 wholly in force at 1.10.2002; Sch. 1 para. 6 not in force at Royal Assent, see s. 42(3); Sch. 1 para. 6 in force for E. at 2.9.2002 by S.I. 2002/2202, art. 3(a); Sch. 1 in force at 1.10.2002 insofar as not already in force by S.I. 2002/2478, art. 3(1)(c)

- 7 In section 17 (Secretary of State’s directions: exercise of functions), in subsection (2), before paragraph (a) there is inserted—
- “(za) Strategic Health Authorities;”.

#### Commencement Information

**I5** Sch. 1 para. 7 wholly in force at 1.10.2002; Sch. 1 para. 7 not in force at Royal Assent, see s. 42(3); Sch. 1 para. 7 in force for E. at 2.9.2002 by S.I. 2002/2202, art. 3(a); Sch. 1 in force at 1.10.2002 insofar as not already in force by S.I. 2002/2478, art. 3(1)(c)

- 8 In section 17B (Health Authority’s directions: exercise of functions), in subsection (1), for “Health Authority” there is substituted “ Strategic Health Authority ”.
- 9 In section 18 (directions and regulations under preceding provisions), in subsection (1B), for “Health Authority” there is substituted “ Strategic Health Authority ”.
- 10 In section 22 (co-operation between Health Authorities and local authorities), in subsection (1A), before paragraph (a) there is inserted—
- “(za) a Strategic Health Authority;”.
- 11 In section 23 (voluntary organisations and other bodies), in subsection (2), after “or by a” there is inserted “ Strategic Health Authority, ”.
- 12 In section 26 (supply of goods and services by the Secretary of State)—
- (a) in subsection (1)(b), after “State or by a” there is inserted “ Strategic Health Authority, ”,

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- (b) in subsection (3), in each of paragraphs (b) and (c), after “or a” there is inserted “ Strategic Health Authority, ”, and
  - (c) in subsection (4)(b), after “providing” there is inserted “ Strategic Health Authorities, ”.
- 13 In section 27 (conditions of supply under section 26)—
- (a) in subsection (1)—
    - (i) after “officer of a” there is inserted “ Strategic Health Authority, ”, and
    - (ii) after “that the” there is inserted “ Strategic Health Authority, ”, and
  - (b) in subsection (3), after “directions to” there is inserted “ Strategic Health Authorities, ”.
- 14 In section 28 (supply of goods and services by local authorities)—
- (a) in subsection (1), after “any” there is inserted “ Strategic Health Authority, ”, and
  - (b) in subsection (3)—
    - (i) after “available to” there is inserted “ Strategic Health Authorities, ”, and
    - (ii) after “to enable” there is inserted “ Strategic Health Authorities, ”.
- 15 In section 28A (power to make payments towards expenditure on community services), in subsection (2B), after “by a” there is inserted “ Strategic Health Authority, ”.
- 16 In section 28BB (power of local authorities to make payments to NHS bodies), in subsection (2), after “means a” there is inserted “ Strategic Health Authority or ”.
- 17 <sup>[F1]</sup>In section 37 (Dental Practice Board), in subsection (1)(b), for “Health Authority” there is substituted “ Strategic Health Authority ”.]

#### Textual Amendments

- F1** Sch. 1 para. 17 repealed (1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), s. 199\(1\)\(4\)](#), [Sch. 14 Pt. 4](#); S.I. 2005/2925, art. 11

- 18 In section 49S (the Family Health Services Appeal Authority), in subsection (8)(b), after “by a” there is inserted “ Strategic Health Authority, ”.
- 19 In section 51 (university clinical teaching and research)—
- (a) in subsection (2)—
    - (i) after “by a” there is inserted “ Strategic Health Authority, ”, and
    - (ii) after “by the” there is inserted “ Strategic Health Authority, ”, and
  - (b) in subsection (3), before paragraph (a) there is inserted—
    - “(za) Strategic Health Authorities;”.

#### Commencement Information

- I6** Sch. 1 para. 19 wholly in force at 1.10.2002; Sch. 1 para. 19 not in force at Royal Assent, see [s. 42\(3\)](#); Sch. 1 para. 19 in force for E. at 2.9.2002 by [S.I. 2002/2202, art. 3\(a\)](#); Sch. 1 in force at 1.10.2002 insofar as not already in force by [S.I. 2002/2478, art. 3\(1\)\(c\)](#)

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- 20 In section 65 (accommodation and services for private patients), before “Health Authority or”, in each place where it occurs, there is inserted “ Strategic Health Authority, ”.
- 21 In section 84A (intervention orders), in subsection (2), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities,”.
- 22 In section 84B (intervention orders: effect)—  
(a) in subsection (1), in each of paragraphs (a) and (b), after “of a” there is inserted “ Strategic Health Authority, ”, and  
(b) in subsection (6), before “a Health Authority” there is inserted “ a Strategic Health Authority or ”.
- 23 In section 85 (default powers), in subsection (1), before paragraph (a) there is inserted—  
“(za) a Strategic Health Authority;”.
- 24 In section 90 (gifts on trust), after “A” there is inserted “ Strategic Health Authority, ”.
- 25 In section 91 (private trusts for hospitals), in subsection (3)(d), after “case, the” there is inserted “ Strategic Health Authority, ”.
- 26 In section 92 (further transfers of trust property)—  
(a) in subsection (1), after “functions of any” there is inserted “ Strategic Health Authority, ”, and  
(b) in subsection (1A), before paragraph (a) there is inserted—  
“(za) a Strategic Health Authority;”.
- 27 In section 96 (trusts: supplementary provisions), in subsection (1A)(a), after “or a” there is inserted “ Strategic Health Authority, ”.
- 28 In section 96A (power of health authorities, etc to raise money)—  
(a) in subsection (1), before “Health Authority,” in both places, there is inserted “ Strategic Health Authority, ”,  
(b) in subsection (3), after “benefit of the” there is inserted “ Strategic Health Authority, ”,  
(c) in subsection (4), before “Health Authority,” there is inserted “ Strategic Health Authority, ”,  
(d) in subsection (5)(b), before “Health Authority” there is inserted “ Strategic Health Authority, ”, and  
(e) in each of subsections (7), (8) and (9), before “Health Authority,” in each place where it occurs, there is inserted “ Strategic Health Authority, ”.
- 29 In section 98 (accounts and audit)—  
(a) in subsection (1), before paragraph (a) there is inserted—  
“(za) every Strategic Health Authority;”,  
and  
(b) in subsection (2AA), for “Health Authority” there is substituted “ Strategic Health Authority ”.
- 30 In section 99 (regulation of financial arrangements), in subsection (1), before paragraph (a) there is inserted—

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- “(za) Strategic Health Authorities.”.
- 31 In section 125 (protection of members and officers of authorities), before paragraph (a) there is inserted—
- “(za) a Strategic Health Authority;”.
- 32 In section 126 (orders and regulations, and directions), in subsection (3A), after “or by a” there is inserted “ Strategic Health Authority or ”.
- 33 In section 128 (interpretation and construction), in subsection (1A), before “Health Authority,”, in both places, there is inserted “ Strategic Health Authority, ”.
- 34 (1) Schedule 5 (which relates to the constitution of Health Authorities and Special Health Authorities) is amended as provided in this paragraph.
- (2) In Part 1 (membership of Health Authorities)—
- (a) for “Health Authority”, in each place where it occurs, there is substituted “ Strategic Health Authority ”,
- (b) in paragraph 4, for “Health Authorities” there is substituted “ Strategic Health Authorities ”,
- (c) after paragraph 4 there is inserted—
- “4A Paragraphs 1 to 4 above apply in relation to Health Authorities as they apply in relation to Strategic Health Authorities.”,
- and
- (d) in the heading, for “Membership of Health Authorities” there is substituted “ Membership of Strategic Health Authorities and Health Authorities ”.
- (3) In Part 3 (supplementary provisions)—
- (a) in paragraph 8, after “Each” there is inserted “ Strategic Health Authority, each ”, and
- (b) in paragraph 9, in sub-paragraph (7)(a), before “Health Authority” there is inserted “ Strategic Health Authority or ”.
- 35 (1) Schedule 5A (which relates to Primary Care Trusts) is amended as provided in this paragraph.
- (2) In Part 2 (Constitution and Membership), in paragraph 10, after “in relation to” there is inserted “ Strategic Health Authorities, ”.
- (3) In Part 3 (Powers and duties), in paragraph 20, for “Health Authority” there is substituted “ Strategic Health Authority ”.
- (4) In Part 4 (Transfer of property), in paragraph 21, for “Health Authority” (in each place where it occurs) there is substituted “ Strategic Health Authority ”.
- (5) In Part 5 (Transfer of staff), in paragraph 23(2), for paragraph (a) there is substituted—
- “(a) a Strategic Health Authority;”.

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**PART 2**

AMENDMENTS OF OTHER ACTS

*The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

- 36 In Part 1 of Schedule 2 to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (which makes provision about payments to make up civil remuneration), in paragraph 15—
  - (a) in the entry in the first column, before “a Health Authority” there is inserted “ a Strategic Health Authority, ”, and
  - (b) in the entry in the second column, before “Health Authority” there is inserted “ Strategic Health Authority, ”.

*The Hospital Complaints Procedure Act 1985 (c. 42)*

F237 .....

**Textual Amendments**

**F2** Sch. 1 para. 37 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

*The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)*

- 38 (1) The Disabled Persons (Services, Consultation and Representation) Act 1986 is amended as provided in this paragraph.
- (2) In section 7 (persons discharged from hospital), in subsection (9), in paragraph (a) of the definition of “the managers”, after “means the” there is inserted “ Strategic Health Authority, ”.
- (3) In section 16 (interpretation), after the definition of “statutory services” there is inserted—
  - ““Strategic Health Authority” means a Strategic Health Authority established under section 8 of the 1977 Act;”.

*The National Health Service and Community Care Act 1990 (c. 19)*

- 39 The National Health Service and Community Care Act 1990 is amended as follows.
- 40 In section 4 (NHS contracts), in subsection (2), before paragraph (a) there is inserted—
  - “(za) a Strategic Health Authority;”.
- 41 In section 4A (provision of certain services by persons on ophthalmic or pharmaceutical lists), in subsection (1), after “under which” there is inserted “ a Strategic Health Authority, ”.
- 42 In section 8 (transfer of property, rights and liabilities to NHS trusts), before “Health Authority”, in each place where it occurs, there is inserted “ Strategic Health Authority, ”.

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- 43 In section 21 (schemes for meeting losses and liabilities of certain health service bodies)—
- (a) in subsection (2), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities;”,
- and
- (b) in each of subsections (3), (4) and (5), before “Health Authority” there is inserted “ Strategic Health Authority, ”.
- 44 In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after “means a” there is inserted “ Strategic Health Authority, ”.
- 45 In section 60 (removal of Crown immunities), in subsection (7)(a), at the beginning there is inserted “ a Strategic Health Authority or ”.
- 46 In Schedule 2 (which makes provision about NHS trusts)—
- (a) in each of paragraphs 4(1), 4(2), 5(3), 13, 30(2) and 31, before “Health Authority” there is inserted “ Strategic Health Authority, ”, and
  - (b) in paragraph 30(1), after paragraph (a) there is inserted—  
“(aa) a Strategic Health Authority, or”.

*The Health Service Commissioners Act 1993 (c. 46)*

- 47 In section 2 of the Health Service Commissioners Act 1993 (bodies subject to investigation), in subsection (1), for paragraph (a) there is substituted—  
“(a) Strategic Health Authorities,”.

*The 1999 Act*

- 48 The 1999 Act is amended as follows.

<sup>F3</sup>49 .....

**Textual Amendments**

**F3** Sch. 1 para. 49 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

<sup>F4</sup>50 .....

**Textual Amendments**

**F4** Sch. 1 para. 50 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

- 51 In section 26 (co-operation between NHS bodies), after “duty of” there is inserted “ Strategic Health Authorities, ”.
- 52 In section 28 (plans for improving health etc)—
- (a) in subsection (6)—
    - (i) in paragraphs (b) and (g), before “Health Authorities” there is inserted “ Strategic Health Authorities, ”, and

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- (ii) in paragraph (h), after “provision by” there is inserted “ Strategic Health Authorities, ”, and
  - (b) in subsection (9), after “duty of” there is inserted “ Strategic Health Authorities, ”.
- 53 In section 31 (arrangements between NHS bodies and local authorities), in subsection (8), in the definition of “NHS body”, after “means a” there is inserted “ Strategic Health Authority, ”.
- 54 In section 61 (English and Scottish border provisions), in subsection (2), for “Health Authority” there is substituted “ Strategic Health Authority ”.

*The Health and Social Care Act 2001 (c. 15)*

- 55 (1) The Health and Social Care Act 2001 is amended as provided in this paragraph.
- (2) In section 7 (functions of overview and scrutiny committees), in subsection (4), after “means a” there is inserted “ Strategic Health Authority, ”.
  - (3) In section 46 (directed partnership arrangements), in subsection (5), in the definition of “NHS body”, after “means a” there is inserted “ Strategic Health Authority, ”.



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