Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

SCHEDULES

SCHEDULE 2

Section 2(5)

REALLOCATION OF FUNCTIONS OF HEALTH AUTHORITIES TO PRIMARY CARE TRUSTS

PART 1

AMENDMENTS OF 1977 ACT		
^{F1} 1		
Textı	nal Amendments	
F1	Sch. 2 para. 1 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)	
^{F2} 2		
Textu	nal Amendments	
F2	Sch. 2 para. 2 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)	
F33		
Texti	ial Amendments	
F3	Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)	

Textual Amendments

F3∆

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community

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Health and Standards) Act 2003 (c. 43), s. 199(1)(4), **Sch. 14 Pt. 4**; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F³5

Textual Amendments

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F³6

Textual Amendments

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F³7

Textual Amendments

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F³8

Textual Amendments

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), **Sch. 14 Pt. 4**; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F³9

Textual Amendments

F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F310

Textual Amendments

- F3 Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 14 Pt. 4; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)
- In section 38 (arrangements for general ophthalmic services), in subsection (1), after "duty" there is inserted "of every Primary Care Trust and ".

^{F4}12

Textual Amendments

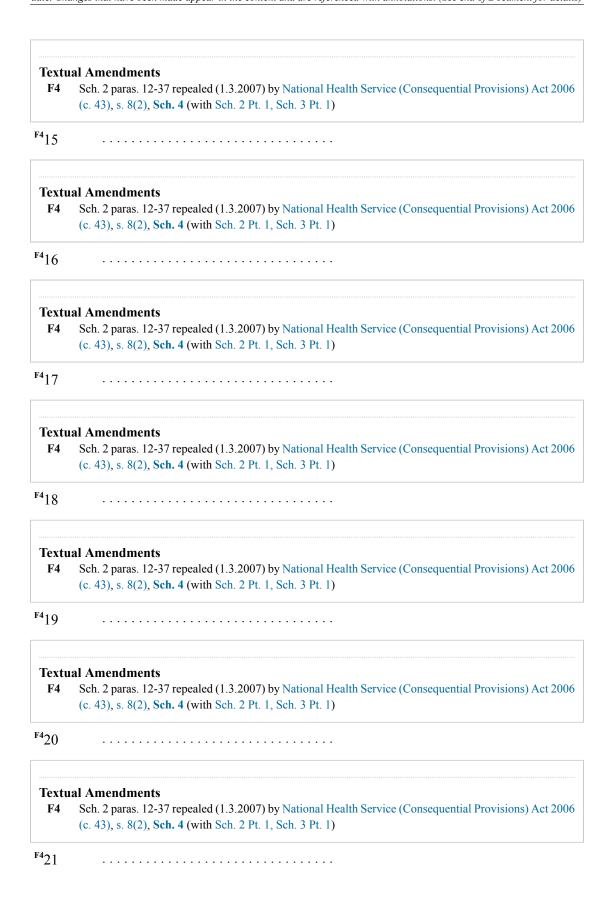
F4 Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

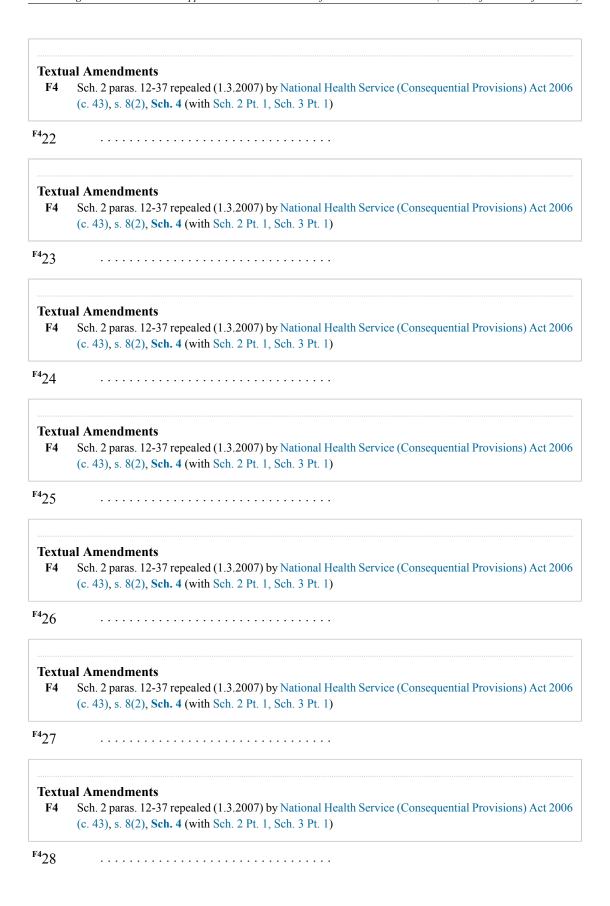
^{F4}13

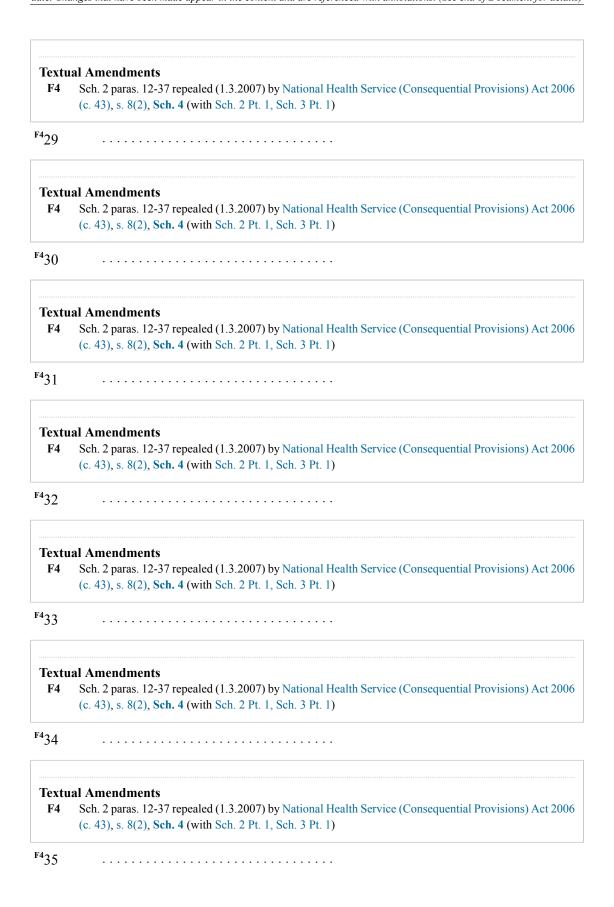
Textual Amendments

F4 Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

^{F4}14







Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)



PART 2

AMENDMENTS OF OTHER ACTS

The National Assistance Act 1948 (c. 29)

In section 26 of the National Assistance Act 1948 (provision of accommodation in premises maintained by voluntary organisations), in subsection (1C), after "consent of such" there is inserted "Primary Care Trust or".

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

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 16, in the entry in the second column, before "Health Authority" there is inserted "Primary Care Trust,".

The Health Services and Public Health Act 1968 (c. 46)

- 40 (1) The Health Services and Public Health Act 1968 is amended as provided in this paragraph.
 - (2) In section 63 (provision of instruction for certain persons), in subsection (2)(b), before "Health Authority" there is inserted "Primary Care Trust or".
 - (3) In section 64 (financial assistance to certain voluntary organisations), in subsection (3)(b), before "Health Authority" there is inserted "Primary Care Trust or".

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

The Health and Safety at Work etc Act 1974 (c. 37)

In section 60 of the Health and Safety at Work etc Act 1974 (which makes supplementary provision in relation to the employment medical advisory service), in subsection (1), after "that each" there is inserted "Primary Care Trust and".

The Mental Health Act 1983 (c. 20) 42 The Mental Health Act 1983 is amended as follows. F543 **Textual Amendments** Sch. 2 paras. 43-45 repealed (3.11.2008) by Mental Health Act 2007 (c. 12), s. 56(1), Sch. 11 Pt. 5; S.I. 2008/1210, art. 2(d) F544 **Textual Amendments** Sch. 2 paras. 43-45 repealed (3.11.2008) by Mental Health Act 2007 (c. 12), s. 56(1), Sch. 11 Pt. 5; S.I. 2008/1210, art. 2(d) ^{F5}45 **Textual Amendments** Sch. 2 paras. 43-45 repealed (3.11.2008) by Mental Health Act 2007 (c. 12), s. 56(1), Sch. 11 Pt. 5; S.I. 2008/1210, art. 2(d) 46 In section 39 (information as to hospitals), in subsection (1), before "Health Authority", in each place where it occurs, there is inserted "Primary Care Trust or". 47 In section 117 (after-care), in each of subsections (2), (2A) and (3), before "Health Authority", in each place where it occurs, there is inserted "Primary Care Trust or". 48 In section 140 (notification of hospitals having arrangements for reception of urgent cases)— (a) after "duty of" there is inserted "every Primary Care Trust and of", for "Health Authority's area" there is substituted "area of the Primary Care Trust or Health Authority", and after "available to the" there is inserted "Primary Care Trust or".

The Public Health (Control of Disease) Act 1984 (c. 22)

49

50 (1) The Public Health (Control of Disease) Act 1984 is amended as provided in this paragraph.

before "Health Authority" there is inserted "Primary Care Trust,".

In section 145 (interpretation), in paragraph (a) of the definition of "the managers",

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

- (2) In section 11 (cases of notifiable disease and food poisoning to be reported), before "Health Authority", in each place where it occurs, there is inserted "Primary Care Trust or".
- (3) In section 12 (fees for certificates under section 11), in subsection (1), after "that a" there is inserted " Primary Care Trust or ".
- (4) In section 39 (keeper of common lodging-house to notify case of infectious disease), in subsection (3), after "to the" there is inserted "Primary Care Trust or ".

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

- In section 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986 (persons discharged from hospital), in subsection (9), for paragraph (a) of the definition of "health authority" there is substituted—
 - "(a) in relation to England, means a Primary Care Trust,
 - (aa) in relation to Wales, means a Health Authority, and".

The Children Act 1989 (c. 41)

In Schedule 2 to the Children Act 1989 (local authority support for children and families), in paragraph 1A(3)(a), for "and" there is substituted " or ".

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

53	The National Health Service and Community Care Act 1990 is amended as follows.
F654	

Textual Amendments

- Sch. 2 para. 54 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)
- 55 (1) In section 18 (indicative amounts for doctors' practices)—
 - (a) in subsection (1)—
 - (i) after "financial year," there is inserted " every Primary Care Trust and ", and
 - (ii) before "Health Authority", in the second and third places it occurs, there is inserted "Primary Care Trust or",
 - (b) before "Health Authority", in each other place where it occurs except in subsection (7), there is inserted "Primary Care Trust or", and
 - (c) in subsection (7), for "Health Authority" there is substituted "Primary Care Trust".
 - (2) This paragraph shall cease to have effect on the coming into force of paragraph 80 of Schedule 4 to the 1999 Act (which repeals section 18 of the National Health Service and Community Care Act 1990).
- In section 47 (assessment of needs for community care services), in subsection (3)

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

- (a) before "Health Authority", where it first occurs, there is inserted "Primary Care Trust or", and
- (b) before "Health Authority", in each other place where it occurs, there is inserted "Primary Care Trust,".
- In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after "Strategic Health Authority," (inserted by paragraph 44 of Schedule 1 to this Act) there is inserted "Primary Care Trust,".

Textual Amendments

F7 Sch. 2 para. 58 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

The Access to Health Records Act 1990 (c. 23)

- 59 (1) The Access to Health Records Act 1990 is amended as provided in this paragraph.
 - (2) In section 1 (definitions of certain terms), in subsection (2)(a)(ii), before "Health Authority" there is inserted "Primary Care Trust,".
 - (3) In section 7 (duty of health service bodies etc to take advice), before "Health Authority", in each place where it occurs, there is inserted "Primary Care Trust,".

The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

In section 279 of the Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners), in paragraph (a), before "Health Authority" there is inserted "Primary Care Trust or".

The Health Service Commissioners Act 1993 (c. 46)

- 61 (1) The Health Service Commissioners Act 1993 is amended as provided in this paragraph.
 - (2) In section 2 (bodies subject to investigation)—
 - (a) in subsection (1), in paragraph (da), "established for areas in England" is omitted, and
 - (b) in subsection (2), in paragraph (a), "whose areas are in Wales" is omitted.
 - (3) In section 6 (which provides for certain action by Health Authorities, etc not to be investigated), in each of subsections (3) and (5), after "taken by a" there is inserted "Primary Care Trust or".

The Health Authorities Act 1995 (c. 17)

In Schedule 2 to the Health Authorities Act 1995 (transitional provisions and savings), in paragraph 2, before "Health Authority", in each place where it occurs, there is inserted "Primary Care Trust,".

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 July 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)

The Employment Rights Act 1996 (c. 18)

In section 43K of the Employment Rights Act 1996 (extended meaning of "worker" for Part 4A of that Act), in subsection (1)(c)(i), before "Health Authority" there is inserted "Primary Care Trust or".

The Police Act 1997 (c. 50)

[F8In section 115 of the Police Act 1997 (enhanced criminal record certificates), in subsection (6E), before "Health Authority", in both places, there is inserted "Primary Care Trust or ".]

Textual Amendments

F8 Sch. 2 para. 64 repealed (6.4.2006 for E.W.) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8), **Sch. 17 Pt. 2**; S.I. 2006/378, art. 7(f)

The School Standards and Framework Act 1998 (c. 31)

In Schedule 9 to the School Standards and Framework Act 1998 (which provides for the constitution of school governing bodies), in paragraph 10 (community special schools), in sub-paragraph (5)(a), after "by the" there is inserted "Primary Care Trust or".

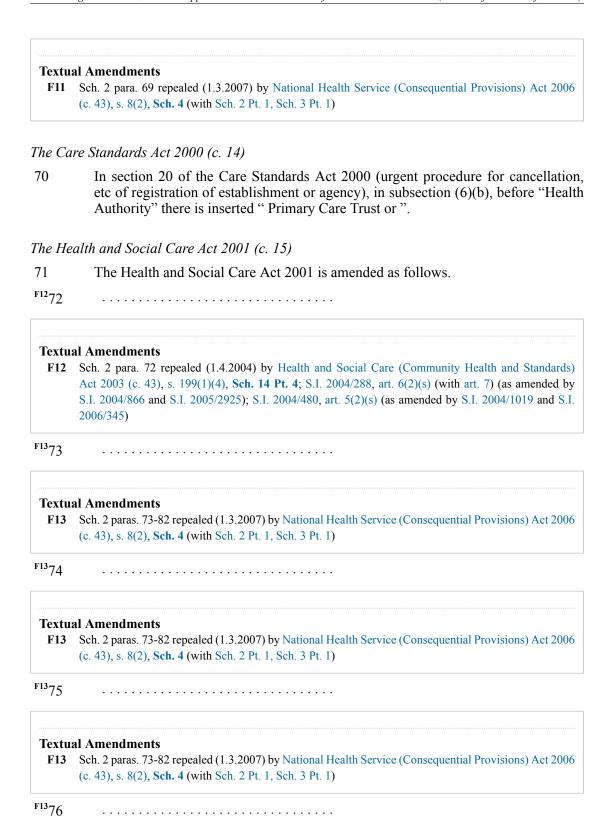
The Government of Wales Act 1998 (c. 38)

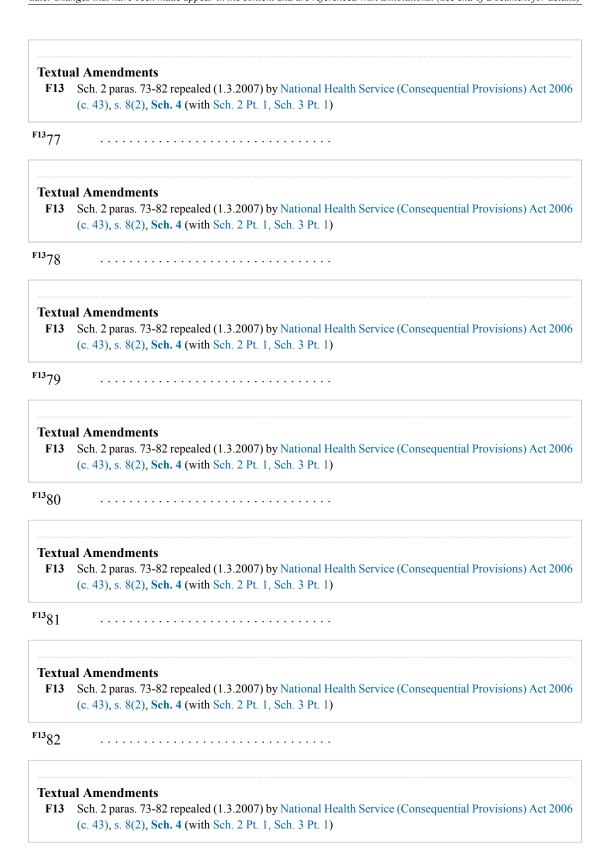
art. 1(1), Sch. 2 (with art. 4)

F1169

- 66 (1) The Government of Wales Act 1998 is amended as provided in this paragraph.
 - (2) In Schedule 5 (bodies and offices covered by section 74), in paragraph 20, "for an area in, or consisting of, Wales" is omitted.
 - (3) In Schedule 17 (audit, etc, of Welsh public bodies), in paragraph 12, "for an area in, or consisting of, Wales" is omitted.

<i>The 1999 Act</i> F967		
Textu F9	nal Amendments Sch. 2 para. 67 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)	
^{F10} 68		
Textu F10	ral Amendments Sch. 2 para. 68 repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by The National Health Service (Pre-consolidation Amendments) Order 2006 (S.I. 2006/1407),	





Status:

Point in time view as at 03/11/2008.

Changes to legislation: