

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 1

Section 1(3)

ENGLISH HEALTH AUTHORITIES: CHANGE OF NAME

^{F1}PART 1

AMENDMENTS OF 1977 ACT

.....

Textual Amendments

- F1** Sch. 1 Pt. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

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)

^{F2}37

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- F2** Sch. 1 para. 37 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13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

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- (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.
F340

Textual Amendments
 F3 Sch. 1 paras. 40-43 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F341

Textual Amendments
 F3 Sch. 1 paras. 40-43 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](#))

F342

Textual Amendments
 F3 Sch. 1 paras. 40-43 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](#))

F343

Textual Amendments
 F3 Sch. 1 paras. 40-43 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](#))

- 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 ”.
- F446

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Textual Amendments

F4 Sch. 1 para. 46 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 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.

^{F5}49

Textual Amendments

F5 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

^{F6}50

Textual Amendments

F6 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

^{F7}51

Textual Amendments

F7 Sch. 1 paras. 51-53 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](#))

^{F7}52

Textual Amendments

F7 Sch. 1 paras. 51-53 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](#))

^{F7}53

Textual Amendments

F7 Sch. 1 paras. 51-53 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](#))

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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)

F855

Textual Amendments
F8 Sch. 1 para. 55 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)

SCHEDULE 2

Section 2(5)

REALLOCATION OF FUNCTIONS OF HEALTH AUTHORITIES TO PRIMARY CARE TRUSTS

PART 1

AMENDMENTS OF 1977 ACT

F91

Textual Amendments
F9 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)

F102

Textual Amendments
F10 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)

F113

Textual Amendments
F11 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)

F114

Status: Point in time view as at 01/01/2009.

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Textual Amendments

F11 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)

F115

Textual Amendments

F11 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)

F116

Textual Amendments

F11 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)

F117

Textual Amendments

F11 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)

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F118

Textual Amendments

F11 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)

F119

Textual Amendments

F11 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)

F1110

Textual Amendments

F11 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)

11 In section 38 (arrangements for general ophthalmic services), in subsection (1), after “duty” there is inserted “ of every Primary Care Trust and ”.

F1212

Textual Amendments

F12 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)

F1213

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Textual Amendments

F12 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](#))

F12₁₄

Textual Amendments

F12 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](#))

F12₁₅

Textual Amendments

F12 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](#))

F12₁₆

Textual Amendments

F12 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](#))

F12₁₇

Textual Amendments

F12 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](#))

F12₁₈

Textual Amendments

F12 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](#))

F12₁₉

Textual Amendments

F12 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](#))

F12₂₀

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Textual Amendments

F12 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](#))

F1221

Textual Amendments

F12 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](#))

F1222

Textual Amendments

F12 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](#))

F1223

Textual Amendments

F12 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](#))

F1224

Textual Amendments

F12 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](#))

F1225

Textual Amendments

F12 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](#))

F1226

Textual Amendments

F12 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](#))

F1227

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Textual Amendments

F12 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](#))

F1228

Textual Amendments

F12 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](#))

F1229

Textual Amendments

F12 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](#))

F1230

Textual Amendments

F12 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](#))

F1231

Textual Amendments

F12 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](#))

F1232

Textual Amendments

F12 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](#))

F1233

Textual Amendments

F12 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](#))

F1234

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Textual Amendments

F12 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](#))

^{F12}35

Textual Amendments

F12 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](#))

^{F12}36

Textual Amendments

F12 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](#))

^{F12}37

Textual Amendments

F12 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](#))

PART 2

AMENDMENTS OF OTHER ACTS

The National Assistance Act 1948 (c. 29)

38 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)

39 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.

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- (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 ”.

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

- 41 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.

^{F13}43

Textual Amendments

F13 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)

^{F13}44

Textual Amendments

F13 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)

^{F13}45

Textual Amendments

F13 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 ”,
 - (b) for “Health Authority’s area” there is substituted “ area of the Primary Care Trust or Health Authority ”, and
 - (c) after “available to the” there is inserted “ Primary Care Trust or ”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

- 49 In section 145 (interpretation), in paragraph (a) of the definition of “the managers”, before “Health Authority” there is inserted “ Primary Care Trust, ”.

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

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

- 51 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)

- 52 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.

^{F14}54

Textual Amendments

F14 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 ”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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) 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).
- 56 In section 47 (assessment of needs for community care services), in subsection (3)
- (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, ”.
- 57 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, ”.
- F1558

Textual Amendments

- F15 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)

- 60 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 ”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 Authorities Act 1995 (c. 17)

62 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, ”.

The Employment Rights Act 1996 (c. 18)

63 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)

64 [F16]In 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
F16 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)

65 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)

- 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.

The 1999 Act

F1767

Textual Amendments
F17 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](#))

F1868

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F18 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 \(S.I. 2006/1407\)](#), art. 1(1), [Sch. 2](#) (with art. 4)

F1969

Textual Amendments

F19 Sch. 2 para. 69 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 Care Standards Act 2000 (c. 14)

70 In section 20 of the Care Standards Act 2000 (urgent procedure for cancellation, etc of registration of establishment or agency), in subsection (6)(b), before “Health Authority” there is inserted “ Primary Care Trust or ”.

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

71 The Health and Social Care Act 2001 is amended as follows.

F2072

Textual Amendments

F20 Sch. 2 para. 72 repealed (1.4.2004) 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)

F2173

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2174

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2175

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2176

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2177

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2178

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2179

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2180

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2181

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

F2182

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F21 Sch. 2 paras. 73-82 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](#))

SCHEDULE 3

Section 4(3)

AMENDMENTS RELATING TO PERSONAL MEDICAL
SERVICES AND PERSONAL DENTAL SERVICES

PART 1

AMENDMENTS OF THE NATIONAL HEALTH SERVICE (PRIMARY CARE) ACT 1997

F22₁

Textual Amendments

F22 Sch. 3 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](#))

F23₂

Textual Amendments

F23 Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

F23₃

Textual Amendments

F23 Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

F23⁴

Textual Amendments

F23 Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

F23⁵

Textual Amendments

F23 Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

F23⁶

Textual Amendments

F23 Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

F24⁷

Textual Amendments

F24 Sch. 3 para. 7 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)

F25⁸

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F25 Sch. 3 para. 8 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](#))

F26⁹

Textual Amendments

F26 Sch. 3 para. 9 omitted (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by virtue of [The National Health Service \(Pre-consolidation Amendments\) Order 2006](#) (S.I. 2006/1407), art. 1(1), **Sch. 1 para. 10** (with art. 4)

F27¹⁰

Textual Amendments

F27 Sch. 3 para. 10 repealed (1.4.2004) 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)

PART 2

AMENDMENTS OF OTHER ACTS

The 1977 Act

F28¹¹

Textual Amendments

F28 Sch. 3 para. 11 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 National Health Service (Scotland) Act 1978 (c. 29)

- 12 In the National Health Service (Scotland) Act 1978, in section 17C (personal medical or dental services)—
- (a) in subsection (5), in each of paragraphs (a) and (b), before “Health Authority” there is inserted “ Strategic Health Authority or by a ”, and
 - (b) in subsection (6), for the definition of “Health Authority” there is substituted—

““Strategic Health Authority” and “Health Authority” have the same meaning as in the National Health Service Act 1977;”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 13 In section 279 of the Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners), in paragraph (a), after “by a” there is inserted “Strategic Health Authority,”.

The 1999 Act

^{F29}14

Textual Amendments

F29 Sch. 3 para. 14 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 Health and Social Care Act 2001 (c. 15)

- 15 [^{F30}The Health and Social Care Act 2001 is amended as follows.]

Textual Amendments

F30 Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925](#), art. 11; [S.I. 2006/1407](#), art. 1(1), [Sch. 1 para. 13](#) (with art. 4)

- 16 [^{F30}(1) Section 26(1) (which inserts a new section 28DA into the 1977 Act) is amended as provided in this paragraph.

(2) In the new section 28DA (lists of persons who may perform personal medical services or personal dental services)—

- (a) in subsection (1), after “publication” there is inserted “ by each Primary Care Trust and ”,
- (b) in subsection (3)—
 - (i) in each of paragraphs (a), (b), (c), (e), (g) and (k), before “Health Authority” there is inserted “ Primary Care Trust or ”, and
 - (ii) in paragraph (j), after “of” there is inserted “ Primary Care Trusts and ”,
- (c) in subsection (4), in each of paragraphs (a), (b) and (d), before “Health Authority” there is inserted “ Primary Care Trust or ”,
- (d) in subsection (8)—
 - (i) before “Health Authority”, in both places, there is inserted “ Primary Care Trust or ”, and
 - (ii) in paragraph (c), for “Health Authority’s decision” there is substituted “ decision of the Primary Care Trust or of the Health Authority ”,
- (e) in subsection (9)—
 - (i) before “Health Authority” there is inserted “ Primary Care Trust or ”, and

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

- (ii) for “Health Authority’s decision” there is substituted “ decision of the Primary Care Trust or of the Health Authority ”, and
- (f) in subsection (10), for “Health Authority’s decision” there is substituted “ decision of the Primary Care Trust or of the Health Authority ”.]

Textual Amendments

F30 Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925, art. 11; S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

- 17 ^[F30]In Schedule 1 (exempt information relating to health services), in paragraph 11, after “request to a” there is inserted “ Strategic Health Authority or ”.]

Textual Amendments

F30 Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925, art. 11; S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

^{F31} SCHEDULE 4

Section 6(2)

LOCAL HEALTH BOARDS

Textual Amendments

F31 Sch. 4 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](#))

SCHEDULE 5

Section 6(2)

AMENDMENTS RELATING TO LOCAL HEALTH BOARDS

The Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 1 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 (bodies to which the Act applies), after paragraph 1(gg) there is inserted—
“(gh) Local Health Boards;”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Commencement Information

- I1** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I2** Sch. 5 para. 1 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

- 2 (1) Section 63 of the Health Services and Public Health Act 1968 (provision of instruction for officers of hospital authorities etc) is amended as follows.
- (2) In subsection (1)(a), for “or Primary Care Trust” there is substituted “, Primary Care Trust or Local Health Board”.
- (3) In subsection (5A), for “or Primary Care Trust”, in both places, there is substituted “, Primary Care Trust or Local Health Board”.
- (4) In subsection (5B), the “and” at the end of paragraph (bb) is omitted, and after that paragraph there is inserted—
“(bbb) Local Health Boards; and”.

Commencement Information

- I3** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I4** Sch. 5 para. 2 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Employers’ Liability (Compulsory Insurance) Act 1969 (c. 57)

- 3 In section 3 of the Employers’ Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), in subsection (2)(a)—
- (a) for “1978 and” there is substituted “ 1978, ”, and
- (b) after “1977” there is inserted “ and a Local Health Board established under section 16BA of that Act ”.

Commencement Information

- I5** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I6** Sch. 5 para. 3 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The 1977 Act

F324

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₅

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₆

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₇

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₈

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₉

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₁₀

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

F32₁₁

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}12

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}13

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}14

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}15

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}16

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}17

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}18

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}19

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

^{F32}20

Textual Amendments

F32 Sch. 5 paras. 4-20 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](#))

21 [^{F33}In section 98 (accounts and audit), in subsection (1), after paragraph (bb) there is inserted—
“(bbb) every Local Health Board;”.]

Textual Amendments

F33 Sch. 5 para. 21 repealed (1.2.2007 so far as relating to Welsh NHS bodies) by [Health Act 2006](#) (c. 28), s. 83(7), [Sch. 9](#); [S.I. 2007/204](#), art. 4(c)

Commencement Information

I7 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), art. 2, [Sch.](#)

I8 Sch. 5 para. 21 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

^{F34}22

Textual Amendments

F34 Sch. 5 para. 22 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), art. 1(1), [Sch. 2](#) (with art. 4)

^{F35}23

Textual Amendments

F35 Sch. 5 para. 23 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](#))

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

F36 24

Textual Amendments

F36 Sch. 5 para. 24 repealed (20.10.2003 for W., 1.12.2003 for E.) by [Health \(Wales\) Act 2003 \(c. 4\), s. 10\(2\)](#), [Sch. 4](#); [S.I. 2003/2660, art. 2\(1\)\(iii\)\(2\)](#); [S.I. 2003/3064, art. 2\(1\)\(iii\)\(2\)](#)

The Acquisition of Land Act 1981 (c. 67)

25 In section 16 of the Acquisition of Land Act 1981 (statutory undertakers' land excluded from compulsory purchase), in subsection (3), the “and” at the end of paragraph (b) is omitted, and at the end of paragraph (c) there is inserted

“and

(d) a Local Health Board established under section 16BA of that Act;”.

Commencement Information

I9 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)

I10 Sch. 5 para. 25 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Hospital Complaints Procedure Act 1985 (c. 42)

26 In section 1 of the Hospital Complaints Procedure Act 1985 (hospital complaints procedure), in subsection (1B), after “Trust”, where it first occurs, there is inserted “and Local Health Board ”, and in the second place where it occurs there is inserted “ or Local Health Board ”.

Commencement Information

I11 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)

I12 Sch. 5 para. 26 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Income and Corporation Taxes Act 1988 (c. 1)

27 In section 519A of the Income and Corporation Taxes Act 1988 (health service bodies), in subsection (2), after paragraph (ab) there is inserted—

“(aba) a Local Health Board;”.

Commencement Information

I13 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)

I14 Sch. 5 para. 27 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 Housing Act 1988 (c. 50)

- 28 In Schedule 2 to the Housing Act 1988 (grounds for possession of dwelling-houses let on assured tenancies), in the second paragraph of Ground 16, after “1990,” there is inserted “ or by a Local Health Board, ”.

Commencement Information

- I15** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I16** Sch. 5 para. 28 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Road Traffic Act 1988 (c. 52)

- 29 In section 144 of the Road Traffic Act 1988 (exceptions from requirement of third-party insurance or security), in subsection (2)(da), after “1977” there is inserted “ , by a Local Health Board established under section 16BA of that Act ”.

Commencement Information

- I17** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I18** Sch. 5 para. 29 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

- 30 The National Health Service and Community Care Act 1990 is amended as follows.

Commencement Information

- I19** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I20** Sch. 5 para. 30 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

F3731

Textual Amendments

- F37** Sch. 5 paras. 31-33 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](#))

F3732

Textual Amendments

- F37** Sch. 5 paras. 31-33 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](#))

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

F37 33

Textual Amendments

F37 Sch. 5 paras. 31-33 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](#))

34 In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after “Health Authority” there is inserted “, Local Health Board”.

Commencement Information

I21 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), **Sch.**

I22 Sch. 5 para. 34 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

35 In section 61 (health service bodies: taxation), in subsection (3), after “Primary Care Trust” there is inserted “ or Local Health Board ”.

Commencement Information

I23 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), **Sch.**

I24 Sch. 5 para. 35 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

F38 36

Textual Amendments

F38 Sch. 5 para. 36 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 Welsh Language Act 1993 (c. 38)

37 In section 6 of the Welsh Language Act 1993 (meaning of “public body”), in subsection (1), after paragraph (f) there is inserted—

“(ff) a Local Health Board established under section 16BA of the National Health Service Act 1977;”.

Commencement Information

I25 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), **Sch.**

I26 Sch. 5 para. 37 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 Service Commissioners Act 1993 (c. 46)

F39 38

Textual Amendments

F39 Sch. 5 para. 38 repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 7](#); [S.I. 2005/2800](#), art. 5(1)(3)

The Vehicle Excise and Registration Act 1994 (c. 22)

39 In Schedule 2 to the Vehicle Excise and Registration Act 1994 (exempt vehicles), in paragraph 7, at the end of sub-paragraph (d) there is inserted

“or

(e) a Local Health Board established under section 16BA of that Act.”

Commencement Information

I27 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), art. 2, [Sch.](#)

I28 Sch. 5 para. 39 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

The Value Added Tax Act 1994 (c. 23)

40 In section 41 of the Value Added Tax Act 1994 (application to Crown), in subsection (7), after “Primary Care Trust” there is inserted “ and a Local Health Board ”.

Commencement Information

I29 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), art. 2, [Sch.](#)

I30 Sch. 5 para. 40 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

The Data Protection Act 1998 (c. 29)

41 In section 69 of the Data Protection Act 1998 (meaning of “health professional”), in subsection (3), after paragraph (bb) there is inserted—

“(bbb) a Local Health Board established under section 16BA of that Act.”.

Commencement Information

I31 Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), art. 2, [Sch.](#)

I32 Sch. 5 para. 41 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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 Government of Wales Act 1998 (c. 38)

- 42 (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), after paragraph 25 there is inserted—
- “25A A Local Health Board.”
- (3) In Schedule 17 (audit etc of Welsh public bodies), after paragraph 12 there is inserted—
- “12A A Local Health Board.”

Commencement Information

- I33** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I34** Sch. 5 para. 42 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The 1999 Act

^{F40}43

Textual Amendments

- F40** Sch. 5 para. 43 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](#))

^{F41}44

Textual Amendments

- F41** Sch. 5 para. 44 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

^{F42}45

Textual Amendments

- F42** Sch. 5 para. 45 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 Care Standards Act 2000 (c. 14)

- 46 In section 121 of the Care Standards Act 2000 (general interpretation), in subsection (1), in the definition of “National Health Service body”, for “or a Primary Care Trust” there is substituted “, a Primary Care Trust or a Local Health Board”.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Commencement Information

- I35** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I36** Sch. 5 para. 46 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Learning and Skills Act 2000 (c. 21)

- 47 In section 138 of the Learning and Skills Act 2000 (Wales: provision of information by public bodies), in subsection (3), after paragraph (b) there is inserted—
“(ba) a Local Health Board,”.

Commencement Information

- I37** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I38** Sch. 5 para. 47 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

The Freedom of Information Act 2000 (c. 36)

- 48 In Schedule 1 to the Freedom of Information Act 2000 (public authorities for the purposes of the Act), in Part 3 (National Health Service), after paragraph 39 there is inserted—
“39A A Local Health Board established under section 16BA of the National Health Service Act 1977.”

Commencement Information

- I39** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I40** Sch. 5 para. 48 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

^{F43}49

Textual Amendments

- F43** Sch. 5 paras. 49-51 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](#))

^{F43}50

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F43 Sch. 5 paras. 49-51 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](#))

^{F43}51

Textual Amendments

F43 Sch. 5 paras. 49-51 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](#))

SCHEDULE 6

Section 20(11)

THE COMMISSION FOR PATIENT AND PUBLIC INVOLVEMENT IN HEALTH

Status

^{F44}1

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Powers

^{F44}2

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Membership

^{F44}3

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Appointment, procedure etc

^{F44}4

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

F44₅

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

F44₆

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Remuneration and allowances

F44₇

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Staff

F44₈

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Delegation of functions

F44₉

Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Assistance

F4410

Textual Amendments
F44 Sch. 6 paras. 1-15 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)

Payments and loans to the Commission

F4411

Textual Amendments
F44 Sch. 6 paras. 1-15 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)

Accounts and audit

F4412

Textual Amendments
F44 Sch. 6 paras. 1-15 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)

Reports and other information

F4413

Textual Amendments
F44 Sch. 6 paras. 1-15 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)

Application of seal and evidence

F4414

Textual Amendments
F44 Sch. 6 paras. 1-15 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)

F4415

Status: Point in time view as at 01/01/2009.

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Textual Amendments

F44 Sch. 6 paras. 1-15 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](#))

Miscellaneous amendments

16 In the First Schedule to the Public Records Act 1958 (c. 51) (definition of public records), the following entry is inserted at the appropriate place in Part 2 of the Table at the end of paragraph 3—

“Commission for Patient and Public Involvement in Health.”

Commencement Information

I41 Sch. 6 para. 16 partly in force; Sch. 6 para. 16 not in force at Royal Assent, see s. 42(3); Sch. 6 para. 16 in force for E. at 1.1.2003 by [S.I. 2002/3190](#), [art. 2](#)

^{F45}17

Textual Amendments

F45 Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

^{F45}18

Textual Amendments

F45 Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

^{F45}19

Textual Amendments

F45 Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007](#) (c. 28), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

SCHEDULE 7

Section 25(4)

[^{F46}THE COUNCIL FOR HEALTHCARE REGULATORY EXCELLENCE]

Textual Amendments

F46 Sch. 7 title substituted (1.1.2009) by [Health and Social Care Act 2008](#) (c. 14), s. 170(3)(4), [Sch. 10 para. 19](#); [S.I. 2008/3244](#), art. 2(i)(xiii)

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Status

- 1 The Council is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Council's property is not to be regarded as property of, or property held on behalf of, the Crown.
- 2 For the purposes of—
 - (a) section 23(2)(b) of the Scotland Act 1998 (c. 46) (power of Scottish Parliament to require persons outside Scotland to attend to give evidence or produce documents); and
 - (b) section 70(6) of that Act (accounts prepared by cross-border bodies),
 the Council is to be treated as a cross-border public authority within the meaning of that Act.

Powers

- 3 The power in section 26(1) includes the power to—
 - (a) acquire and dispose of land and other property, and
 - (b) enter into contracts.

Membership and chairman

- [^{F474} The Council is to consist of—
- (a) a chair appointed by the Privy Council,
 - (b) one non-executive member appointed by the Scottish Ministers,
 - (c) one non-executive member appointed by the Welsh Ministers,
 - (d) one non-executive member appointed by the Department of Health, Social Services and Public Safety in Northern Ireland,
 - (e) three non-executive members appointed by the Secretary of State, and
 - (f) two executive members appointed in accordance with paragraph 11.]

Textual Amendments

F47 Sch. 7 para. 4 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 114(2)**, 170(3)(4); [S.I. 2008/3244](#), art. 2(b)

Appointment, procedure etc

^{F485}

Textual Amendments

F48 Sch. 7 para. 5 repealed (1.10.2006) by [Health Act 2006 \(c. 28\)](#), s. 83(7), [Sch. 8 para. 52](#), **Sch. 9**; [S.I. 2006/2603](#), art. 4(5)(c)(iv)(e), [Sch.](#)

- 6 The Secretary of State may by regulations provide for—

[^{F49}(a) the conditions to be fulfilled for appointment as chair or other member of the Council,]

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

- (b) the tenure of office of the [^{F50}chair and non-executive members] of the Council (including the circumstances in which they cease to hold office or may be removed or suspended from office),
- [^{F51}(ba) the appointment of a member as deputy chair and the circumstances in which that member ceases to hold, or may be removed from, office as deputy chair,]and
- (c) the appointment of, constitution of and exercise of functions by committees and sub-committees of the Council (including committees and sub-committees which consist of or include persons who are not members of the Council).

Textual Amendments

- F49** Sch. 7 para. 6(a) substituted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(a\)](#), 170; S.I. 2008/3244, [art. 2\(b\)](#)
- F50** Words in Sch. 7 para. 6(b) substituted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(b\)](#), 170; S.I. 2008/3244, [art. 2\(b\)](#)
- F51** Sch. 7 para. 6(ba) inserted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(c\)](#), 170; S.I. 2008/3244, [art. 2\(b\)](#)

Commencement Information

- I42** Sch. 7 para. 6 wholly in force at 27.8.2002; Sch. 7 para. 6 in force for certain purposes at Royal Assent, see s. 42(3); Sch. 7 para. 6 in force at 27.8.2002 by [S.I. 2002/2202](#), [art. 2\(1\)](#)

- 7 The Council may regulate its own procedure.
- 8 The validity of any proceedings of the Council is not affected by a vacancy amongst its members or by a defect in the appointment of a member.

Members' interests

- 9 (1) The Council must establish and maintain a system for the declaration and registration of private interests of its members.
- (2) The Council must publish entries recorded in the register of members' interests.

Remuneration and allowances

- 10 (1) The Council may pay to its [^{F52}chair], and to any other member of the Council, such remuneration and allowances as the Secretary of State may determine.
- (2) The Council may pay to any member of a committee or sub-committee of the Council such allowances as the Secretary of State may determine.
- (3) If the Secretary of State so determines, the Council must provide for the payment of such pension, allowance or gratuities as the Secretary of State may determine to or in respect of a person who is or has been the [^{F52}chair] or any other member of the Council.
- (4) If the Secretary of State determines that there are special circumstances that make it right for a person ceasing to hold office as [^{F52}chair] of the Council to receive compensation, the Council must pay to him such compensation as the Secretary of State may determine.

Status: Point in time view as at 01/01/2009.

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Textual Amendments

F52 Word in Sch. 10 para. 10 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\), ss. 114\(4\), 170\(3\)\(4\); S.I. 2008/3244, art. 2\(b\)](#)

Employees

- [^{F53}11 (1) The Council may appoint the executive members referred to in paragraph 4(f) on such terms and conditions as the Council may determine.
- (2) The executive members must be employees of the Council.
- (3) Any decision of the Council under sub-paragraph (1) must be taken by the members appointed under paragraph 4(a) to (e).
- (4) The Council may appoint such other employees as it considers appropriate on such terms and conditions as it may determine.]

Textual Amendments

F53 Sch. 7 para. 11 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\), ss. 114\(5\), 170\(3\)\(4\); S.I. 2008/3244, art. 2\(b\)](#)

Delegation of functions

- 12 (1) The Council may arrange for the discharge of any of its functions by—
- (a) a committee, sub-committee, member or employee of the Council, or
- (b) any other person.
- (2) If the Council does arrange for the discharge of any function as mentioned in sub-paragraph (1)(b), the arrangements may include provision with respect to the payment of remuneration and allowances to, or amounts in respect of, such persons.

Assistance

- 13 (1) The Council may arrange for such persons as it thinks fit to assist it in the discharge of any of its functions in relation to a particular case or class of case.
- (2) Such arrangements may include provision with respect to the payment of remuneration and allowances to, or amounts in respect of, such persons.

Payments and loans to Council

- 14 (1) The Secretary of State may make payments out of money provided by Parliament to the Council of such amounts, at such times and on such conditions (if any) as he considers appropriate.
- (2) An appropriate authority may make payments to the Council of such amounts, at such times and on such conditions (if any) as it considers appropriate.
- (3) The Secretary of State may make loans out of money provided by Parliament to the Council on such terms (including terms as to repayment and interest) as he may determine.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

- (4) An appropriate authority may make loans to the Council on such terms (including terms as to repayment and interest) as it may determine.
- (5) The approval of the Treasury is required as to the amount and terms of any loan under sub-paragraph (3).
- (6) Except as provided by sub-paragraphs (3) and (4), the Council has no power to borrow money.
- (7) The Secretary of State may give directions to the Council as to the application of any sums received by it under sub-paragraph (1) or (3).
- (8) An appropriate authority may give directions to the Council as to the application of any sums received by it from the authority under sub-paragraph (2) or (4).
- (9) The Council must comply with any directions under sub-paragraph (7) or (8).
- (10) In this paragraph, “appropriate authority” means the National Assembly for Wales, the Scottish Ministers or the Department of Health, Social Services and Public Safety in Northern Ireland.

Accounts

- 15 (1) The Council must keep accounts in such form as the Secretary of State may determine.
- (2) The Council must prepare annual accounts in respect of each financial year in such form as the Secretary of State may determine.
- (3) The Council must send copies of the annual accounts to the Secretary of State and the Comptroller and Auditor General within such period after the end of the financial year to which the accounts relate as the Secretary of State may determine.
- (4) Within that period the Council must also send copies of the annual accounts to—
 - (a) the Scottish Ministers,
 - (b) the National Assembly for Wales, and
 - (c) the Department of Health, Social Services and Public Safety in Northern Ireland.
- (5) The Comptroller and Auditor General must examine, certify and report on the annual accounts and must lay copies of the accounts and of his report before Parliament.
- (6) A copy of the accounts shall be laid before—
 - (a) the Scottish Parliament by the Scottish Ministers,
 - (b) the Northern Ireland Assembly by the Department of Health, Social Services and Public Safety there,and the National Assembly for Wales shall publish the accounts.
- (7) In this paragraph and paragraph 16, “financial year” means—
 - (a) the period beginning with the date on which the Council is established and ending with the next 31st March following that date, and
 - (b) each successive period of 12 months ending with 31st March.

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Reports and other information

- 16 (1) The Council must prepare a report on the exercise of its functions during each financial year.
- [^{F54}(1A) The report must state—
- (a) how the Council, in exercising its functions, has promoted the health, safety and well-being of patients and other members of the public, and
 - (b) how far, in the opinion of the Council, each regulatory body has complied with any duty imposed on it to promote the health, safety and well-being of such persons.]
- (2) As soon as possible after the end of each financial year, the Council must lay a copy of its report for that year before Parliament, the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.
- (3) The Council must comply with any request by Parliament to prepare, and lay before it, other reports or to provide Parliament with other information.
- (4) The Council must also comply with any corresponding request by—
- (a) the Scottish Parliament, in relation to matters which concern a subject for which any member of the Scottish Executive has general responsibility,
 - (b) the Northern Ireland Assembly, in relation to transferred matters concerning Northern Ireland (“transferred matters” having the meaning given by section 4(1) of the Northern Ireland Act 1998 (c. 47)).

Textual Amendments

F54 Sch. 7 para. 16(1A) inserted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(6\)](#), [170\(3\)\(4\)](#); [S.I. 2008/3244](#), [art. 2\(b\)](#)

Commencement Information

I43 Sch. 7 para. 16 wholly in force at 1.4.2003; Sch. 7 para. 16 not in force at Royal Assent, see s. 42(3); Sch. 7 para. 16(1)(2) in force at 1.12.2002 by [S.I. 2002/2202](#), [art. 2\(2\)](#); Sch. 7 para. 16(3)(4) in force at 1.4.2003 by [S.I. 2002/2202](#), [art. 2\(3\)](#)

Application of seal and evidence

- 17 The application of the seal of the Council must be authenticated by the signature of—
- (a) any member of the Council, or
 - (b) any other person who has been authorised by the Council (whether generally or specially) for that purpose.
- 18 A document purporting to be duly executed under the seal of the Council or to be signed on its behalf is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

Meetings of the Council in Northern Ireland

- 19 (1) Sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 (c.9) (which provides for public access to meetings of a district council and for the publication of information concerning such meetings) shall, with the modifications set out below,

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apply in relation to meetings of the Council in Northern Ireland as they apply in relation to meetings of a district council.

(2) The modifications are—

- (a) any reference to a district council shall be read as a reference to the Council, and
- (b) any reference to councillors or members of the council shall be read as references to members of the Council.

Miscellaneous amendments

F5520

Textual Amendments

F55 Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

F5521

Textual Amendments

F55 Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

F5522

Textual Amendments

F55 Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

F5523

Textual Amendments

F55 Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

F5524

Textual Amendments

F55 Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

Status: Point in time view as at 01/01/2009.

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SCHEDULE 8

Section 37(1)

MINOR AND CONSEQUENTIAL AMENDMENTS

The 1977 Act

F56₁

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₂

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₃

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₄

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₅

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₆

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₇

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Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₈

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F56₉

Textual Amendments

F56 Sch. 8 paras. 1-9 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](#))

F57₁₀

Textual Amendments

F57 Sch. 8 para. 10 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), art. 1(1), **Sch. 2** (with art. 4)

F58₁₁

Textual Amendments

F58 Sch. 8 para. 11 repealed (20.10.2003 for W., 1.12.2003 for E.) by [Health \(Wales\) Act 2003](#) (c. 4), s. 10(2), **Sch. 4**; S.I. 2003/2660, art. 2(1)(iii)(2); S.I. 2003/3064, art. 2(1)(iii)(2)

F59₁₂

Textual Amendments

F59 Sch. 8 para. 12 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 Medical Act 1983 (c. 54)

13 The Medical Act 1983 is amended as follows.

14 In section 40 (appeals), in subsection (11), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.

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Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

- 15 In Schedule 6 (transitional and saving provisions), in paragraph 18, “section 40(4) of this Act or” is omitted.

The Dentists Act 1984 (c. 24)

- 16 In section 29 of the Dentists Act 1984 (appeals), in subsection (4), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.

The Opticians Act 1989 (c. 44)

- 17 In section 23 of the Opticians Act 1989 (appeals in disciplinary and other cases), in subsection (2), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.

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

^{F60}18

Textual Amendments

F60 Sch. 8 para. 18 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 Local Government (Wales) Act 1994 (c. 19)

- 19 In Schedule 10 to the Local Government (Wales) Act 1994 (amendments relating to social services), paragraph 11(4) is omitted.

Commencement Information

I44 Sch. 8 para. 19 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 19 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

The Health Authorities Act 1995 (c. 17)

- 20 The Health Authorities Act 1995 is amended as follows.

Commencement Information

I45 Sch. 8 para. 20 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 20 in force at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(1\)\(e\)](#) and in force for certain purposes for E. at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(2\)\(b\)](#) ([S.I. 2002/2532](#), [art. 2](#), [Sch.](#) purports to bring Sch. 8 para. 20 in force on 10.10.2002 for W. only)

- 21 Section 1 (which substituted section 8 of the 1977 Act) is omitted.

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Commencement Information

I46 Sch. 8 para. 21 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 21 in force at 1.10.2002 by [S.I. 2002/2478](#), **art. 3(1)(e)** ([S.I. 2002/2532](#), **art. 2**, **Sch.** purports to bring Sch. 8 para. 21 in force on 10.10.2002 for W. only)

22 In Schedule 1 (amendments), paragraphs 32(b), 53 and 107(12)(b) are omitted.

Commencement Information

I47 Sch. 8 para. 22 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 22 in force at 1.10.2002 by [S.I. 2002/2478](#), **art. 3(1)(e)** and in force for certain purposes at 1.10.2002 by [S.I. 2002/2478](#), **art. 3(2)(b)** ([S.I. 2002/2532](#), **art. 2**, **Sch.** purports to bring Sch. 8 para. 22 in force on 10.10.2002 for W. only)

The National Health Service (Primary Care) Act 1997 (c. 46)

^{F61}23

Textual Amendments

F61 Sch. 8 paras. 23-27 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**)

^{F61}24

Textual Amendments

F61 Sch. 8 paras. 23-27 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 Government of Wales Act 1998 (c. 38)

^{F61}25

Textual Amendments

F61 Sch. 8 paras. 23-27 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**)

^{F61}26

Textual Amendments

F61 Sch. 8 paras. 23-27 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**)

^{F61}27

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F61 Sch. 8 paras. 23-27 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 1999 Act

F6228

Textual Amendments

F62 Sch. 8 paras. 28-31 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

F6229

Textual Amendments

F62 Sch. 8 paras. 28-31 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

F6230

Textual Amendments

F62 Sch. 8 paras. 28-31 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

F6231

Textual Amendments

F62 Sch. 8 paras. 28-31 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 Health and Social Care Act 2001 (c. 15)

F6332

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

F6333

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

F6334

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

F6335

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

F6336

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

F6337

Textual Amendments

F63 Sch. 8 paras. 32-37 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](#))

SCHEDULE 9

Section 37(2)

REPEALS

PART 1

NATIONAL HEALTH SERVICE

Commencement Information

I48 Sch. 9 Pt. 1 not in force at Royal Assent, see s. 42(3); specified entries in Sch. 9 Pt. 1 in force for E. and for W. (insofar as the Secretary of State is the appropriate authority) at 1.10.2002 by [S.I. 2002/2478](#), [art.](#)

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

3(1)(f); further specified entry in Sch. 9 Pt. 1 in force for E. at 1.10.2002 by [S.I. 2002/2478](#), **art. 3(2)(c)**;
further specified entries in Sch. 9 Pt. 1 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), **art. 2**, **Sch.**
I49 Sch. 9 Pt. 1 in force at 11.7.2003 for specified purposes for E.W. by [S.I. 2003/1580](#), **art. 2(2)(c)**
I50 Sch. 9 Pt. 1 in force at 1.3.2007 for specified purposes, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), **art. 1(1)**, Sch. 1 Pt. 2 para. 12 (with **art. 4**)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Health Services and Public Health Act 1968 (c. 46)	In section 63(5B), the “and” at the end of paragraph (bb).
National Health Service Act 1977 (c. 49)	In section 17B(1), the words from “which” to the end. Section 18(1A)(b). In section 22(1A), the “or” at the end of paragraph (c). In section 28A(1), the “and” at the end of paragraph (a). In section 29B(3), the “or” at the end of paragraph (b). In section 33(1A)(b), “for areas in Wales”. In section 44(2), “with the approval of the Health Authority”. In section 51(3), the “and” at the end of paragraph (bb). Section 97(6)(bb) and (c) and (8). In section 103(3)(a), “or a Primary Care Trust”. In section 125, the “and” at the end of paragraph (bb). In section 126(4A), the “or” at the end of paragraph (b). In Schedule 12A, in paragraph 4(2) the “or” at the end of paragraph (a); in paragraph 5(1) the “and” at the end of paragraph (a); in paragraph 5(2) the “or” at the end of paragraph (a); and in paragraph 7(3) “or Primary Care Trust”.
Acquisition of Land Act 1981 (c. 67)	In section 16(3), the “and” at the end of paragraph (b).
Health Service Commissioners Act 1993 (c. 46)	In section 2, in subsection (1)(da), “established for areas in England”; and in subsection (2)(a), “whose areas are in Wales”.
Government of Wales Act 1998 (c. 38)	In Schedule 5, in paragraph 20, “for an area in, or consisting of, Wales”. In Schedule 17, in paragraph 12, “for an area in, or consisting of, Wales”.
Health Act 1999 (c. 8)	In section 6(2), in the inserted section 28EE of the 1977 Act, subsection (1).

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

	In section 20(1), the “and” at the end of paragraph (d). In section 23(6), the definition of “NHS premises”. In Schedule 2, in paragraph 7(2), the words after “Commission”; and paragraph 7(6) and (7).
Health and Social Care Act 2001 (c. 15)	In section 28(7), “or a Primary Care Trust”. In Schedule 3, in the new Schedule 8A inserted by that Schedule, in paragraph 1(8), “or a Primary Care Trust”.
National Health Service Reform and Health Care Professions Act 2002 (c. 17)	In Schedule 2, in paragraph 2, sub-paragraphs (3) to (5); and paragraph 55.

PART 2

HEALTH CARE PROFESSIONS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Medical Act 1983 (c. 54)	Section 40(1)(c), (4) to (6), (9) and (10). In Schedule 4, in paragraph 3(b) “to Her Majesty in Council”; paragraph 10(2); in paragraph 10(3) “or (2)”, and “or that sub-paragraph as applied by sub-paragraph (2) above”. In Schedule 6, in paragraph 18, “section 40(4) of this Act or”.
Dentists Act 1984 (c. 24)	Section 29(2). In section 51, the words from “(other” to “appeals”.
Osteopaths Act 1993 (c. 21)	Section 10 (10). Section 31(3) to (5) and (7). Section 35(3).
Chiropractors Act 1994 (c. 17)	Section 10(10). Section 31(3) to (5) and (7). Section 35(3).

PART 3

MISCELLANEOUS

Commencement Information

- I51** Sch. 9 Pt. 3 not in force at Royal Assent, see s. 42(3); specified entries in Sch. 9 Pt. 3 in force for E. and for W. (insofar as the Secretary of State is the appropriate authority). at 1.10.2002 by [S.I. 2002/2478, art. 3\(1\)\(f\)](#); further specified entry in Sch. 9 Pt. 3 in force for E. at 1.10.2002 by [S.I. 2002/2478, art. 3\(2\)](#)

Status: Point in time view as at 01/01/2009.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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)

(c); further specified entries in Sch. 9 Pt. 3 in force for W. at 10.10.2002 by S.I. 2002/2532, art. 2, Sch.; further specified entries in Sch. 9 Pt. 3 in force for E.W. at 1.1.2003 by S.I. 2002/3190, art. 2(2)(d)
152 Sch. 9 Pt. 3 in force at 1.3.2007 for specified purposes, immediately before the National Health Service Act 2006 comes into force by S.I. 2006/1407, art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
National Health Service Act 1977 (c. 49)	In section 97D(1)(b), “, apart from subsection (5A)”.
National Health Service and Community Care Act 1990 (c. 19)	In section 12(4), the words after paragraph (b).
Local Government (Wales) Act 1994 (c. 19)	In Schedule 10, paragraph 11(4).
Health Authorities Act 1995 (c. 17)	Section 1. In Schedule 1, paragraphs 32(b), 53 and 107(12)(b).
National Health Service (Primary Care) Act 1997 (c. 46)	In Schedule 2, paragraphs 71(3), 73 and 75.
Government of Wales Act 1998 (c. 38)	Section 148.
Health Act 1999 (c. 8)	In Schedule 4, paragraphs 5, 31(2) and 35.
Health and Social Care Act 2001 (c. 15)	Section 1(4) and (5). Section 3(3) and (4). Section 43(5). In Schedule 5, paragraph 5(12)(b).

Status:

Point in time view as at 01/01/2009.

Changes to legislation:

National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 03 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.