



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 1

NATIONAL HEALTH SERVICE, ETC

NHS bodies and their functions: England

5 Local Representative Committees

(1) Section 44 of the 1977 Act (recognition of local representative committees) is amended in accordance with subsections (2) to (7).

^{F1}(2)

^{F1}(3)

(4) After subsection (B1) there is inserted—

“(B2) Where a Primary Care Trust is satisfied that a committee formed for its area, or for its area together with the area of one or more other Primary Care Trusts, is representative—

- (a) of the ophthalmic opticians providing general ophthalmic services in the Primary Care Trust’s area; or
- (b) of the persons providing pharmaceutical services from premises in the Primary Care Trust’s area,

the Primary Care Trust may recognise that committee; and any committee so recognised shall be called the Local Optical Committee or the Local Pharmaceutical Committee, as the case may be, for the area of the Primary Care Trust.”

(5) In subsection (2), “with the approval of the Health Authority” is omitted.

Status: Point in time view as at 01/04/2004. This version of this provision has been superseded.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, Section 5 is up to date with all changes known to be in force on or before 10 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)

^{F2}(6)

(7) In subsection (4), after “notified the” there is inserted “ Primary Care Trust or ”.

(8) Section 45 of the 1977 Act (functions of local representative committees) is amended as follows.

(9) After subsection (1) there is inserted—

“(1ZA) Regulations may require—

- (a) Primary Care Trusts, in the exercise of their functions under this Part of this Act, to consult committees recognised by them under section 44 above,
- (b) Strategic Health Authorities, in the exercise of any of their functions which relate to arrangements under section 28C above, to consult committees recognised under section 44(ZA1)(c) or (A2)(c) above by Primary Care Trusts for the area or areas where the personal medical or dental services are provided (or to be provided) under the arrangements,

on such occasions and to such extent as may be prescribed.”

(10) In subsection (1A)—

- (a) for “power conferred by subsection (1) above is” there is substituted “ powers conferred by subsections (1) and (1ZA) above are ”, and
- (b) after “require a” there is inserted “ Strategic Health Authority, Primary Care Trust or ”.

(11) In subsection (1C)—

- (a) for “subsection (A1)(b) or (c) or (B1)(b) or (c)” there is substituted “ subsection (ZA1)(b) or (c), (A1)(b) or (c), (A2)(b) or (c) or (B1)(b) or (c) ”,
- (b) before paragraph (a) there is inserted—
 - “(za) in the case of a committee recognised under subsection (ZA1) (b) or (c)(ii) of that section, to the deputy medical practitioners for the Primary Care Trust’s area;
 - (zb) in the case of a committee recognised under subsection (ZA1) (c) of that section, to the section 28C medical practitioners for that area;”,

and

(c) after paragraph (b) there is inserted—

- “(ba) in the case of a committee recognised under subsection (A2) (b) or (c)(ii) of that section, to the deputy dental practitioners for the Primary Care Trust’s area;
- (bb) in the case of a committee recognised under subsection (A2) (c) of that section, to the section 28C dental practitioners for that area;”.

(12) In each of subsections (2) and (3), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust or ”.

Status: Point in time view as at 01/04/2004. This version of this provision has been superseded.

Changes to legislation: National Health Service Reform and Health Care Professions Act 2002, Section 5 is up to date with all changes known to be in force on or before 10 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

- F1** S. 5(2)(3) repealed (1.4.2004 for specified purposes except for W., 1.4.2004 for W. for specified purposes, 1.4.2006 for E. in so far as not already in 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
- F2** S. 5(6) repealed (1.4.2004 for specified purposes except for W., 1.4.2004 for W. for specified purposes, 1.4.2006 for E. in so far as not already in 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

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