

SCHEDULES

SCHEDULE 3

TRANSITORY MODIFICATIONS

PART 2

OTHER TRANSITORY MODIFICATIONS

Section 11 of the National Health Service Act 2006 (c. 41), and section 9 of the National Health Service (Wales) Act 2006 (c. 42)

- 2 (1) This paragraph applies if sub-paragraphs (a) and (b) of paragraph 5 of the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006 (S.I. 2006/1056) have not come into force before the commencement of this Act.
- (2) Until the coming into force of those sub-paragraphs—
- (a) section 11 of the National Health Service Act 2006 has effect—
 - (i) with the omission of subsection (1)(d), and
 - (ii) as if, in subsection (7)(b), there were inserted at the end “or section 27(2) of the National Health Service (Scotland) Act 1978”, and
 - (b) section 9 of the National Health Service (Wales) Act 2006 has effect—
 - (i) with the omission of subsection (1)(d), and
 - (ii) as if, in subsection (4), in paragraph (b) of the definition of “pharmaceutical list” there were inserted at the end “or section 27(2) of the National Health Service (Scotland) Act 1978”.