
STATUTORY INSTRUMENTS

1994 No. 589

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Blood Authority (Establishment
and Constitution) Amendment Order 1994**

<i>Made</i>	- - - -	<i>8th March 1994</i>
<i>Laid before Parliament</i>		<i>8th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State for Health, in exercise of powers conferred on her by sections 11(1) and (2) and 126(3) of the National Health Service Act 1977(1) and of all other powers enabling her to do so hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the National Blood Authority (Establishment and Constitution) Amendment Order 1994 and shall come into force on 1st April 1994.

Amendment of Order

2.—(1) The National Blood Authority (Establishment and Constitution) Order 1993(2) is amended in accordance with the following paragraphs of this Article.

(2) In Article 1(2), the definition of “the transfusion service” is omitted.

(3) In Article 3(2)—

(a) after sub-paragraph (a) there is inserted the following sub-paragraph—

“(aa) collecting, screening and processing blood and its constituents and supplying blood, plasma and other blood products for the purposes of the health service”;

(b) sub-paragraphs (f) and (g) are omitted;

(c) for sub-paragraph (h) there is substituted the following sub-paragraph—

(1) 1977 c. 49; section 11 was amended by paragraph 31 of Schedule 1 to the Health Services Act 1980 (c. 53) and by Schedule 10 to the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”); section 126(3) was amended by section 65(2) of the 1990 Act.

(2) S.I.1993/585.

“(h) the promotion, by advertisement and otherwise, of the giving of blood and its constituents for the purposes of the health service, with a view in particular to maintaining an adequate number of persons who are willing to give blood or its constituents for those purposes;” and

(d) sub-paragraph (i) is omitted.

(4) In Article 6 the words from “Any right which” to “against the Authority” are designated as paragraph (1) and after that paragraph there are added the following paragraphs:—

“(2) Subject to paragraph (3) of this Article and except in so far as a Regional Health Authority and the Authority agree otherwise before 1st April 1994, all rights enforceable by or against a Regional Health Authority as respects the exercise of functions which become on that date functions exercisable by the Authority shall on and after that date instead be enforceable by or against the Authority.

(3) Nothing in paragraph (2) shall transfer an officer to the employment of the Authority (without prejudice to any notice served under the National Health Service (Transfer of Officers) (No.2) Regulations 1986(3)).”.

Signed by authority of the Secretary of State for Health

8th March 1994

Tom Sackville
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the National Blood Authority (Establishment and Constitution) Order 1993 by conferring on the National Blood Authority functions relating to the collection and supply of blood for the purposes of the health service (which were exercised by Regional Health Authorities) (Article 2(3)) and making amendments consequential upon the removal of those functions from the Regional Health Authorities (Article 2(2) and (4)).