
STATUTORY INSTRUMENTS

2002 No. 2478

The National Health Service Reform and Health Care Professions Act 2002 (Commencement No. 2) Order 2002

Citation and interpretation

1.—(1) This Order may be cited as the National Health Service Reform and Health Care Professions Act 2002 (Commencement No. 2) Order 2002.

(2) In this Order—

“the Act” means the National Health Service Reform and Health Care Professions Act 2002;

“the 1995 Act” means the Health Authorities Act 1995(1).

Extent

2.—(1) Article 3(1) extends to England and Wales.

(2) Articles 3(2) and (3) and 4 extend to England only.

(3) Article 5 extends to the whole of the United Kingdom.

Appointed day for provisions relating to the National Health Service

3.—(1) Subject to paragraph (3), 1st October 2002 is the day appointed for the coming into force of—

(a) sections 1 and 2 (in so far as those sections have not already been brought into force), 4, 5, 7 and 8 of the Act;

(b) section 3(3) (in so far as that subsection has not already been brought into force) and (4) of the Act and, in so far as it relates to those two subsections, subsection (1) of that section;

(c) Schedules 1 (in so far as that Schedule has not already been brought into force) and 3 to the Act;

(d) Schedule 2 to the Act, in so far as it has not already been brought into force, except for paragraphs 16(6) and 17(4) and (5) and paragraph 1 in so far as it relates to those paragraphs;

(e) the following paragraphs of Schedule 8 to the Act and section 37(1) of the Act in so far as it relates to those paragraphs—

(i) paragraphs 4 to 7 and 12 and, in so far as it relates to those paragraphs, paragraph 1, and

(ii) paragraphs 18, 20, 21, 22 (except in so far as it relates to the omission of paragraph 53 of Schedule 1 to the 1995 Act), 23 to 27, 29 and 31 to 37 and, in so far as it relates to paragraphs 29 and 31, paragraph 28; and

(f) in Schedule 9 to the Act, the repeals in Parts 1 and 3 relating to the—

(i) 1977 Act, sections 17B, 18, 29B, 33, 97, 97D and 103,

- (ii) National Health Service and Community Care Act 1990(2),
 - (iii) Health Service Commissioners Act 1993(3),
 - (iv) 1995 Act, except paragraph 53 of Schedule 1,
 - (v) Government of Wales Act 1998(4),
 - (vi) 1999 Act, section 6 and Schedule 4, and
 - (vii) Health and Social Care Act 2001(5).
- (2) Subject to paragraph (3), 1st October 2002 is the day appointed for the coming into force of—
- (a) section 10 (3), (5) to (8) and (10)(a)(ii), (b) and (c)(i) and (ii) of the Act and, in so far as it relates to those provisions, subsection (1) of that section;
 - (b) the following paragraphs of Schedule 8 to the Act and section 37(1) of the Act in so far as it relates to those paragraphs—
 - (i) paragraphs 3, 8 and 9 and, in so far as it relates to those paragraphs, paragraph 1, and
 - (ii) paragraph 22 (in so far as it relates to the omission of paragraph 53 of Schedule 1 to the 1995 Act) and, in so far as it relates to that omission, paragraph 20; and
 - (c) in Schedule 9 to the Act, the repeals in Parts 1 and 3 relating to the—
 - (i) 1977 Act, section 44 and Schedule 12A, and
 - (ii) 1995 Act, Schedule 1, paragraph 53.
- (3) Sections 7 and 8 of the Act and the provisions referred to in paragraph (2)(a) shall have effect in relation to the period beginning with 1st October 2002 and ending with 31st March 2003 as if that period were a financial year and in relation to the financial year ending with 31st March 2004 and subsequent financial years.

Transitional provision

4. Sections 97 and 97C of, and Schedule 12A to, the 1977 Act(6), in so far as they apply to a Primary Care Trust or to a Health Authority, shall have effect in relation to the period beginning with 1st April 2002 and ending with 30th September 2002 as if that period were a financial year.

Appointed day for provisions relating to health care and associated professions

5. 1st October 2002 is the day appointed for the coming into force of section 35 of the Act.

(2) 1990 c. 19.

(3) 1993 c. 46.

(4) 1998 c. 38.

(5) 2001 c. 15.

(6) Section 97 was substituted by the 1995 Act, Schedule 1, paragraph 47 and amended by the National Health Service (Primary Care) Act 1997 (c. 46), section 36 and Schedule 2, paragraph 22, the Health Act 1999 (“the 1999 Act”), sections 4(2) and 8 and Schedule 4, paragraph 31 and the Health and Social Care Act 2001 (“the 2001 Act”), sections 1(2) and 2; section 97C was inserted by the 1999 Act, section 3 and amended by the 2001 Act, sections 1(4) and 3(3); Schedule 12A was inserted by the 1999 Act, section 4(1).

Signed by authority of the Secretary of State for Health

27th September 2002

John Hutton
Minister of State
Department of Health