

Memorandum for the House of Lords Statutory Instruments Merits Committee

1. Title of the Instrument

The Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Amendment Regulations 2004 No.1427

Laying Authority and Purpose

This explanatory memorandum is laid before Parliament by Command of Her Majesty.

Department responsible

Department of Health

2. Description

These Regulations amend existing Regulations which make provision concerning the exercise of the function of review and scrutiny of health services by local authorities. The existing Regulations will be amended to also cover the Council of the Isles of Scilly.

3. Matters of special interest to the Joint Committee on Statutory Instruments/Select Committee on Statutory Instruments

None

4. Legislative Background

This Statutory Instrument is consequential on the making of the Health and Social Care Act 2001 (Isles of Scilly) Order 2004 and the Isles of Scilly (Functions) (Review and Scrutiny of Health Services) Order 2004 which together give the function to the Council of the Isles of Scilly to review and scrutinise health services. These Regulations amend the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 S.I. 2002/3048. S.I. 2002/3048 regulates the way local authorities carry out their health overview and scrutiny functions.

5. Extent

These Regulations apply to England only.

6. European Convention on Human Rights

Not Applicable

7. Policy background

The Government has given the function to review and scrutinise health services to the overview and scrutiny committees of local authorities. The Health and Social Care Act 2001 conferred this function to those committees by amending the Local Government Act 2000.

The Health and Social Care Act 2001 (Isles of Scilly) Order 2004 and the Isles of Scilly (Functions) (Review and Scrutiny of Health Services) Order 2004 extend this function to the Council of the Isles of Scilly. These Regulations will include the Council within the existing Regulations which make provision concerning how those functions are exercised.

8. Impact

There is no impact on business, charities or voluntary bodies; nor on the Exchequer.

9. Contact point

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