
STATUTORY INSTRUMENTS

2004 No. 21

NATIONAL HEALTH SERVICE, ENGLAND

**The Family Health Services Appeal
Authority Amendment Regulations 2004**

<i>Made</i>	- - - -	<i>8th January 2004</i>
<i>Laid before Parliament</i>		<i>14th January 2004</i>
<i>Coming into force</i>	- -	<i>1st March 2004</i>

The Secretary of State for Health, in exercise of the powers conferred upon him by section 126(3) and (4) of, and paragraph 12 of Schedule 5 to, the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Family Health Services Appeal Authority Amendment Regulations 2004 and shall come into force on 1st March 2004.

Amendment of Regulations

2. In regulation 7(1)(f) of the Family Health Services Appeal Authority Regulations 1995(2) (disqualification for appointment), after “a Special Health Authority” insert “(other than the NHSU or the NHS Professionals Special Health Authority)”(3).

(1) 1977 c. 49; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”) and section 41(1) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c. 46); section 126(4) was amended by section 65(2) of the 1990 Act, section 65(1) of, and paragraphs 4 and 37(1) and (6) of Schedule 4 to, the Health Act 1999 (c. 8) (“the 1999 Act”), section 67(1) of, and paragraph 5(1) and (13)(b) of Schedule 5 to, the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”) and sections 6(3)(c) and 37(1) of, and paragraphs 1 and 10(a) of Schedule 8 to, the National Health Service Reform and Health Care Professions Act 2002 (c. 17); paragraph 12 of Schedule 5 was amended by article 7 of S.I. 1985/39, section 1 of, and paragraph 9 of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(e) of Schedule 1 and Schedule 3 to, the 1995 Act and section 65(1) of, and paragraphs 4, 39(1) and (4) of Schedule 4 to, the 1999 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(2) S.I. 1995/622.

(3) For the NHSU see S.I. 2003/2772 and S.I. 2003/2773. For the NHS Professionals Special Health Authority see S.I. 2003/3059 and S.I. 2003/3060.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State

8th January 2004

John Hutton
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend regulation 7 of the Family Health Services Appeal Authority Regulations 1995. Regulation 7 makes provision for the membership of the Family Health Services Appeal Authority (Special Health Authority), a Special Health Authority established under the National Health Service Act 1977. The amendment will provide that the chairman and members of the NHSU or the NHS Professionals Special Health Authority, also Special Health Authorities established under the National Health Service Act 1977, are not disqualified for appointment as the chairman or a non-officer member of the Family Health Services Appeal Authority (Special Health Authority).