
STATUTORY INSTRUMENTS

2004 No. 3365

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Appointment of
Consultants) Amendment Regulations 2004**

Made - - - - *16th December 2004*
22nd December
Laid before Parliament *2004*
Coming into force - - *12th January 2005*

The Secretary of State for Health, in exercise of the powers conferred on him by sections 126(4) of, paragraphs 10(1) and 12(b) of Schedule 5 to, and paragraphs 5(1)(d), 8(2) and (3) of Schedule 5A to, the National Health Service Act 1977(1) and section 5(7)(f) of, and paragraph 16(5) of Schedule 2 to, the National Health Service and Community Care Act 1990(2) and of all other powers enabling him in that behalf, and after consultation in accordance with paragraph 11(1) of Schedule 5 to, and paragraph 8(4) of Schedule 5A to, the National Health Service Act 1977 and paragraph 16(6) of Schedule 2 to the National Health Service and Community Care Act 1990 with bodies recognised by him as representing persons likely to be affected, hereby makes the following Regulations:

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- (1) 1977 (c. 49). Section 126(4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(1) of, and paragraphs 4 and 37 of Schedule 4 to, the Health Act 1999 (c. 8) (“the 1999 Act”), section 67(1) of, and paragraphs 5 and 13 of Part 1 of Schedule 5 to, the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), and section 6(3)(c) and 37(1) of the National Health Service Reform and Health Care Professions Act 2002 (c. 17). Paragraph 10(1) of Schedule 5 was amended by section 14 of, and paragraph 3 of Schedule 6 to, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), sections 5 and 24 of, and paragraph 14 of Part I of Schedule 8 to, the Health and Social Security Act 1984 (c. 48), section 1 of, and paragraph 8 of Part III of Schedule 1 to, the 1990 Act, section 2(1) of, and paragraph 60(c) of Schedule 1 to, the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), and sections 6(1)(a) and (b) of the 2001 Act. Paragraph 12(b) of Schedule 5 was amended by section 1 of, and paragraph 9 of Part III of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(e) of Schedule 1 to, and Schedule 3 to, the 1995 Act, and section 65(1) of, and paragraphs 4, 39(1) and (4)(b) of Schedule 4 to, the 1999 Act. Schedule 5A was inserted by section 2(2) of, and Schedule 1 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) 1990 (c. 19). Section 5(7) was amended by section 2(1) of, and paragraph 69(d) of Schedule 1 to, the Health Authorities Act 1995 (c. 17). Paragraphs 16 (4)-(6) of Schedule 2 were inserted by section 6(3)(b) of the Health and Social Care Act 2001 (c. 15). 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.