

2015 No. 864

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

PUBLIC HEALTH, ENGLAND

**The Health and Social Care (Miscellaneous Revocations etc.)
Order 2015**

<i>Made</i> - - - -	<i>23rd March 2015</i>
<i>Laid before Parliament</i>	<i>26th March 2015</i>
<i>Coming into force</i> - -	<i>1st July 2015</i>

The Secretary of State makes this Order in exercise of the powers in the enactments specified in the Schedule.

Citation, commencement and extent

1.—(1) This Order may be cited as the Health and Social Care (Miscellaneous Revocations etc.) Order 2015.

(2) This Order comes into force on 1st July 2015.

(3) Subject to paragraphs (4) and (5), this Order extends only to England and Wales.

(4) The following provisions extend to the whole of the United Kingdom—

(a) this article,

(b) the revocation by article 2(1)(m) of articles 3, 4, 6, 7, 9 and 11 of the Health and Social Care Act 2008 (Miscellaneous Consequential Amendments) Order 2010^(a) and article 2(1), in so far as it relates to those revocations, and

(c) sub-paragraph (a) of article 3(2) and article 3(1), in so far as it relates to that sub-paragraph.

(5) The following provisions extend to England and Wales and to Scotland—

(a) sub-paragraph (b) of article 3(2) and article 3(1), in so far as it relates to that sub-paragraph, and

(b) sub-paragraphs (a) and (b) of article 4(3) and article 4(1), in so far as it relates to those sub-paragraphs.

Revocation

- 2.—(1) The following Orders and provisions are revoked—
- (a) the Health Service Supply Council (Abolition) Order 1985(a),
 - (b) the Boards for Special Hospitals (Abolition) Order 1989(b),
 - (c) the Authorities for London Post-Graduate Teaching Hospitals (Abolition) Order 1994(c),
 - (d) the Authorities for London Post-Graduate Teaching Hospitals (Abolition) Order 1996(d),
 - (e) the Health Act 1999 (Fund-holding Practices) (Transfer of Assets, Savings, Rights and Liabilities and Transitional Provisions) Order 1999(e),
 - (f) the Health Authorities Act 1995 (Rectification of Transitional Arrangements) Order 2000(f),
 - (g) the Broadmoor Hospital Authority (Abolition) Order 2001(g),
 - (h) the Ashworth Hospital Authority (Abolition) Order 2002(h),
 - (i) the National Patient Safety Agency (Establishment and Constitution) Amendment Order 2003(i),
 - (j) the Health and Social Care Act 2001 (Isles of Scilly) Order 2004(j),
 - (k) the National Patient Safety Agency (Establishment and Constitution) Amendment Order 2005(k),
 - (l) the Health and Social Care (Community Health and Standards) Act 2003 (Public Health Laboratory Service Board) (Consequential Provisions) Order 2005(l),
 - (m) articles 3, 4, 6, 7, 9, 11 and 13 of the Health and Social Care Act 2008 (Miscellaneous Consequential Amendments) Order 2010,
 - (n) the Health and Social Care Act 2008 (Primary Dental Services, Private Ambulance Services and Primary Medical Services) (Regulated Activities) (Transitory and Transitional Provisions) Order 2010(m), and
 - (o) the Health and Social Care Act 2008 (Primary Dental Services, Private Ambulance Services and Primary Medical Services) (Regulated Activities) (Transitory and Transitional Provisions) (Amendment) Order 2011(n).
- (2) The following Orders are revoked in so far as they apply in relation to England—
- (a) the Health Authorities Act 1995 (Transitional Provisions) Order 1996(o),
 - (b) the Health Authorities Act 1995 (Amendment of Transitional Provisions and Modification of References) Order 1996(p),
 - (c) the Health Authorities Act 1995 (Transitional Provisions) Amendment Order 1996(q),
 - (d) the Health Education Authority (Abolition) Order 2000(r),

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- (a) S.I. 1985/1877.
 - (b) S.I. 1989/947.
 - (c) S.I. 1994/1831, as amended by S.I. 1996/511.
 - (d) S.I. 1996/511.
 - (e) S.I. 1999/2541, as amended by S.I. 2002/2469.
 - (f) S.I. 2000/179.
 - (g) S.I. 2001/834.
 - (h) S.I. 2002/559.
 - (i) S.I. 2003/1077.
 - (j) S.I. 2004/1425.
 - (k) S.I. 2005/504.
 - (l) S.I. 2005/1622, as amended by S.I. 2010/425.
 - (m) S.I. 2010/2484, as amended by S.I. 2011/2948.
 - (n) S.I. 2011/2948.
 - (o) S.I. 1996/709, as amended by S.I. 1996/971, 1996/2310, 1996/3019, 2000/179, 2006/362 and 2006/562.
 - (p) S.I. 1996/971.
 - (q) S.I. 1996/2310.
 - (r) S.I. 2000/604.

- (e) the Special Health Authorities Abolition Order 2005(a), and
- (f) the Special Health Authorities Abolition Order 2006(b), except articles 1(1) and 3 and paragraphs 2, 5, 7, 9, 10, 16, 17, 19, 21 and 23 of Schedule 2.

(3) Except in so far as it applies with modification the Health Service Commissioners Act 1993(c) to the Isles of Scilly, the Isles of Scilly (National Health Service) Order 1981(d) is revoked.

Amendment of the Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000

3.—(1) The Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000(e) is amended as follows.

- (2) Article 2 (extent and interpretation) is amended as follows—
 - (a) in paragraph (2), for “paragraphs 3, 5, 8, 11, 14, 22, 26, 28, 29 and 33 of Schedule 1” substitute “paragraphs 3, 5, 8 and 29 of Schedule 1”,
 - (b) in paragraph (3), for “Paragraphs 6, 9, 23, 27 and 30 of Schedule 1” substitute “Paragraphs 9, 27 and 30 of Schedule 1”, and
 - (c) omit paragraph (5).
- (3) The following provisions are revoked—
 - (a) article 4,
 - (b) paragraphs 1, 2, 4, 6, 7, 9(b), 10(b), 11, 12, 14, 15(2)(b) and (c) and (3), 16, 17 to 24, 25(b), 26, 28, 30(3), 31 to 34, 35(2), (4) and (7) and 36 of Schedule 1 (consequential amendments coming into force on 8th February 2000), and
 - (c) paragraphs 6 to 8 of Schedule 2 (consequential amendments in respect of high security psychiatric services).

Amendment of the Health Act 1999 (Supplementary, Consequential etc. Provisions) (No. 2) Order 2000

4.—(1) The Health Act 1999 (Supplementary, Consequential etc. Provisions) (No. 2) Order 2000(f) is amended as follows.

- (2) In article 2 (extent and interpretation), omit paragraph (3).
- (3) The following paragraphs of the Schedule (consequential amendments) are revoked—
 - (a) paragraph 2(2) and (3),
 - (b) paragraph 3(2) and (3), and
 - (c) paragraphs 4 and 5.

Signed by authority of the Secretary of State.

Jane Ellison

(a) S.I. 2005/502, as amended by S.I. 2006/562.
 (b) S.I. 2006/635.
 (c) 1993 c. 46.
 (d) S.I. 1981/1473. The Isles of Scilly (National Health Service) Order 1981 (“the Order”) extended the whole of the National Health Service Act 1977 (c. 49) to the Isles of Scilly with modification, including sections 106 to 120 which provided for Health Service Commissioners for England and Wales. Those sections were revoked and re-enacted by the Health Service Commissioners Act 1993 (c. 43) and as a consequence the Order partly has effect as if made under section 22(3) of that Act (see section 17(2) of the Interpretation Act 1978 (c. 30)).
 (e) S.I. 2000/90, as amended by the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6), section 165(4) and Part 2 of Schedule 12, by S.I. 2001/1149, and by the National Health Service (Consequential Provisions) Act 2006 (c. 43), section 6 and Schedule 4.
 (f) S.I. 2000/694, as amended by the Powers of Criminal Courts (Sentencing) Act 2000, section 165(4) and Part 2 of Schedule 12.

SCHEDULE

Enabling Powers

- 1.** Paragraphs 4, 7(1)(a), 13, 14, 16, 18, 19 and 20 of Schedule 2 to the Health Authorities Act 1995**(a)**.
- 2.** Sections 44 and 63 of the Health Act 1999**(b)**.
- 3.** Sections 64(6) and 70(10) of the Health and Social Care Act 2001**(c)**.
- 4.** Section 201(1) of the Health and Social Care (Community Health and Standards) Act 2003**(d)**.
- 5.** Sections 28, 272(7) and (8), 273(1) and 278(4) of, and paragraph 22 of Schedule 4 to, the National Health Service Act 2006**(e)**.
- 6.** Sections 161(3) and (4) and 167(1) and (3) of the Health and Social Care Act 2008**(f)**.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes the Orders and provisions listed in article 2(1) of this Order. It also revokes, in so far as they apply in relation to England, the Orders listed in article 2(2) of this Order. Article 2(3) revokes the Isles of Scilly (National Health Service) Order 1981, except in so far as it applies the Health Service Commissioners Act 1993 to those Isles.

Articles 3 and 4 revoke spent provisions in the Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000 and the Health Act 1999 (Supplementary, Consequential etc. Provisions) (No. 2) Order 2000 respectively and make amendments to those Orders consequential on those revocations.

An impact assessment has not been produced for this instrument as it has no impact on businesses or civil society organisations. It also has no impact on the public sector.

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- (a)** 1995 c. 17. Paragraph 13 of Schedule 2 to the Health Authorities Act 1995 was amended by the Health Act 1999 (c. 8), section 65(2) and Schedule 5.
 - (b)** 1999 c. 8.
 - (c)** 2001 c. 15.
 - (d)** 2003 c. 43.
 - (e)** 2006 c. 41. Section 28 of the National Health Service Act 2006 was amended by the Health and Social Care Act 2012 (c. 7), section 55(1) and paragraph 13 of Schedule 4.
 - (f)** 2008 c. 14. Section 161(3) of the Health and Social Care Act 2008 was amended by section 294(4) of the Health and Social Care Act 2012.

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