

## SCHEDULE 1

### Transitional and savings provisions

#### Sections 35 to 38 and 40 of the 1984 Act

9. Where, immediately before 26 July 2010, an order made by a justice of the peace under one or more of sections 35 to 38 and 40 of the 1984 Act<sup>(1)</sup> (which relate to justice of the peace orders) is in force, the order—

- (a) is to be treated as having been made under section 45G (power to order health measures in relation to persons) and, where the order has been combined with a warrant, section 45K (Part 2A orders: supplementary) of the 1984 Act;
- (b) will cease to be in force after a period of 14 days beginning with 26 July 2010, or such shorter period as the order may specify; and
- (c) cannot be extended, but this does not prevent a justice of the peace from making a new order under sections 45G or 45K of the 1984 Act as the case may be.

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(1) Before its repeal, section 37 was amended by: the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 26(2), Schedule 10; the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 4, paragraphs 60 and 62; S.I. 2000/90, Schedule 1, paragraph 17(1) and (4)(b); S.I. 2002/2469, Schedule 1, Part 1, paragraph (11) (1) and (4)(a) and (b); and S.I. 2007/961, the Schedule, paragraph 14(1) and (6)(a) and (b).