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STATUTORY RULES OF NORTHERN IRELAND

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**2002 No. 73 (C. 6)**

**HEALTH AND PERSONAL SOCIAL SERVICES**

The Health and Personal Social Services Act (Northern Ireland)  
2001 (Commencement No. 3) Order (Northern Ireland) 2002

Made - - - - 5th March 2002

The Department of Health, Social Services and Public Safety<sup>(1)</sup>, in exercise of the powers conferred on it by section 61(2) of the Health and Personal Social Services Act (Northern Ireland) 2001<sup>(2)</sup> and of all other powers enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Health and Personal Social Services Act (Northern Ireland) 2001 (Commencement No. 3) Order (Northern Ireland) 2002.

(2) In this Order:

“the Act” means the Health and Personal Social Services Act (Northern Ireland) 2001.

**Appointed Days**

2.—(1) 1st April 2002 is the day appointed for the coming into operation of section 39 of the Act.

(2) The day appointed for the coming into operation of the provisions of the Act set out in column 1 of the Schedule to this Order (the subject matter of each provision being set out in column (2)) is 1st April 2002.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on  
5th March 2002.

L.S.

*D. J. Thompson*  
Senior Officer of the  
Department of Health, Social Services and  
Public Safety

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(1) See S.I. 1999/283 (N.I. 1) Article 3(6)

(2) 2001 c. 3 (N.I.)

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## SCHEDULE

Article 2(2)

**Provisions of the Act coming into operation on 1st April 2002**

Column (1) <i>Provision of the Act</i>	Column (2) <i>Subject Matter</i>
Schedule 5, in so far as those provisions relate to:	Repeals
The Health and Personal Social Services (Northern Ireland) Order 1972 <sup>(3)</sup>	<p>Article 15D(4).</p> <p>In Article 90, paragraphs (5) and (6), paragraph (7)(c) and the word “and” immediately before it and in paragraph (8) the words following “Northern Ireland”.</p> <p>In Article 92 the words “or (5)(a)”.</p> <p>In Article 92A(1) the words “or (5)(a)”.</p> <p>Article 92A(7).</p> <p>Article 92B(3)(e) and (6).</p>
The Health and Personal Social Services (Northern Ireland) Order 1991 <sup>(4)</sup>	<p>Article 8(2)(f), (g)(iv) and (h)(v).</p> <p>Articles 17 to 20.</p> <p>Article 21(2).</p>
The Commissioner for Complaints (Northern Ireland) Order 1996 <sup>(5)</sup>	Article 8(4) and (8).
The Health Services (Primary Care) (Northern Ireland) Order 1997 <sup>(6)</sup>	<p>Articles 15 and 19.</p> <p>In Schedule 2, the amendments to Articles 17, 18 and 21(1) of the Health and Personal Social Services (Northern Ireland) Order 1991.</p>

<sup>(3)</sup> S.I. 1972/1265 (N.I. 14)<sup>(4)</sup> S.I. 1991/194 (N.I. 1)<sup>(5)</sup> S.I. 1996/1297 (N.I. 7)<sup>(6)</sup> S.I. 1997/1177(N.I. 7)

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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order brings into operation on 1st April 2002 certain provisions of the Health and Personal Social Services Act (Northern Ireland) 2001, namely section 39 (repeal of law about fund-holding practices) and Schedule 5, in so far as the repeals in that Schedule are relevant to that provision.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order.)*

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 1) Order (Northern Ireland) 2001 ([S.R. 2001 No. 128 \(C. 5\)](#)) on the following dates:

<i>Provision</i>	<i>Date of Commencement</i>
Sections 23 to 38	2nd April 2001
Sections 41 to 47	2nd April 2001
Sections 50 to 52	2nd April 2001
Section 56 and Schedule 4	2nd April 2001
Section 60(3) and Schedule 5 (partially)	2nd April 2001
Sections 1(1), (3) and (4), Section 2 and Schedule 1	1st June 2001
Sections 6, 7, 9, 10, 12, 13 and 18 (so far as necessary to allow the Council to make rules and prepare codes of practice)	1st June 2001
Sections 20 to 22	1st June 2001
Section 54(1) and (2)	1st June 2001
Sections 53 and 55, and Schedule 3	2nd July 2001

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 2) Order (Northern Ireland) 2001 ([S.R. 2001 No. 324 \(C.16\)](#)) on the following dates:

<i>Provision</i>	<i>Date of Commencement</i>
Section 1(2)	1st October 2001
Sections 4 and 5 (for the purpose only of the exercise of any power of the Council to make rules)	1st October 2001
Sections 14, 17 and 19	1st October 2001

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<i>Provision</i>	<i>Date of Commencement</i>
Section 54(3)	1st November 2001