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## SCHEDULES

### SCHEDULE 2

Section 2(5)

#### REALLOCATION OF FUNCTIONS OF HEALTH AUTHORITIES TO PRIMARY CARE TRUSTS

#### PART 1

#### AMENDMENTS OF 1977 ACT

F1<sub>1</sub> .....

**Annotations:**

**Amendments (Textual)**

**F1** Sch. 2 para. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F2<sub>2</sub> .....

**Annotations:**

**Amendments (Textual)**

**F2** Sch. 2 para. 2 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F3<sub>3</sub> .....

**Annotations:**

**Amendments (Textual)**

**F3** [Sch. 2 paras. 3-10](#) repealed (1.4.2004 for the repeal of [Sch. 2 paras. 3-8](#) except for W., 1.4.2004 for W. for the repeal of [Sch. 2 paras. 3-8](#), 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of [Sch. 2 para. 10\(1\)\(2\)](#) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the [National Health Service Act 2006](#) comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003](#) (c. 43), s. 199(1)(4), **Sch. 14 Pt. 4**; S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), [Sch. 1 para. 13](#) (with art. 4)

F3<sub>4</sub> .....

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**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F35 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F36 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F37 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I.

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2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F38 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F39 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

F310 .....

**Annotations:**

**Amendments (Textual)**

**F3** Sch. 2 paras. 3-10 repealed (1.4.2004 for the repeal of Sch. 2 paras. 3-8 except for W., 1.4.2004 for W. for the repeal of Sch. 2 paras. 3-8, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 2 para. 10(1)(2) for specified purposes, 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 11; S.I. 2006/345, art. 7(2)(m); S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

11 In section 38 (arrangements for general ophthalmic services), in subsection (1), after “duty” there is inserted “ of every Primary Care Trust and ”.

F412 .....

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**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F413 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F414 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F415 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F416 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F417 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F418 .....

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**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F419 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F420 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F421 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F422 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F423 .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F424 .....

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**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F425** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F426** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F427** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F428** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F429** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

**F430** .....

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**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F431** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F432** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F433** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F434** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F435** .....

**Annotations:**

**Amendments (Textual)**

**F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F436** .....

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**Annotations:**

**Amendments (Textual)**

- F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F437** .....

**Annotations:**

**Amendments (Textual)**

- F4** Sch. 2 paras. 12-37 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

## PART 2

### AMENDMENTS OF OTHER ACTS

*The National Assistance Act 1948 (c. 29)*

- 38 In section 26 of the National Assistance Act 1948 (provision of accommodation in premises maintained by voluntary organisations), in subsection (1C), after “consent of such” there is inserted “ Primary Care Trust or ”.

*The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

- 39 In Part 1 of Schedule 2 to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (which makes provision about payments to make up civil remuneration), in paragraph 16, in the entry in the second column, before “Health Authority” there is inserted “ Primary Care Trust, ”.

*The Health Services and Public Health Act 1968 (c. 46)*

- 40 (1) The Health Services and Public Health Act 1968 is amended as provided in this paragraph.
- (2) In section 63 (provision of instruction for certain persons), in subsection (2)(b), before “Health Authority” there is inserted “ Primary Care Trust or ”.
- (3) In section 64 (financial assistance to certain voluntary organisations), in subsection (3)(b), before “Health Authority” there is inserted “ Primary Care Trust or ”.

*The Health and Safety at Work etc Act 1974 (c. 37)*

- 41 In section 60 of the Health and Safety at Work etc Act 1974 (which makes supplementary provision in relation to the employment medical advisory service), in subsection (1), after “that each” there is inserted “ Primary Care Trust and ”.



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*The Mental Health Act 1983 (c. 20)*

- 42 The Mental Health Act 1983 is amended as follows.
- 43 In section 25A (applications for supervision), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust or ”.
- 44 In section 25C (supervision applications: supplementary), in subsection (6), after “consent of the” there is inserted “ Primary Care Trust or ”.
- 45 In section 25F (reclassification of patient subject to after-care under supervision), in subsection (1), after “effect to the” there is inserted “ Primary Care Trust or ”.
- 46 In section 39 (information as to hospitals), in subsection (1), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust or ”.
- 47 In section 117 (after-care), in each of subsections (2), (2A) and (3), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust or ”.
- 48 In section 140 (notification of hospitals having arrangements for reception of urgent cases)—
- (a) after “duty of” there is inserted “ every Primary Care Trust and of ”,
  - (b) for “Health Authority’s area” there is substituted “ area of the Primary Care Trust or Health Authority ”, and
  - (c) after “available to the” there is inserted “ Primary Care Trust or ”.
- 49 In section 145 (interpretation), in paragraph (a) of the definition of “the managers”, before “Health Authority” there is inserted “ Primary Care Trust, ”.

*The Public Health (Control of Disease) Act 1984 (c. 22)*

- 50 (1) The Public Health (Control of Disease) Act 1984 is amended as provided in this paragraph.
- (2) In section 11 (cases of notifiable disease and food poisoning to be reported), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust or ”.
- (3) In section 12 (fees for certificates under section 11), in subsection (1), after “that a” there is inserted “ Primary Care Trust or ”.
- (4) In section 39 (keeper of common lodging-house to notify case of infectious disease), in subsection (3), after “to the” there is inserted “ Primary Care Trust or ”.

*The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)*

- 51 In section 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986 (persons discharged from hospital), in subsection (9), for paragraph (a) of the definition of “health authority” there is substituted—
- “(a) in relation to England, means a Primary Care Trust,
  - (aa) in relation to Wales, means a Health Authority, and”.

*The Children Act 1989 (c. 41)*

- 52 In Schedule 2 to the Children Act 1989 (local authority support for children and families), in paragraph 1A(3)(a), for “and” there is substituted “ or ”.

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*The National Health Service and Community Care Act 1990 (c. 19)*

53 The National Health Service and Community Care Act 1990 is amended as follows.

F<sup>5</sup>54 .....

**Annotations:**

**Amendments (Textual)**

**F5** Sch. 2 para. 54 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

- 55 (1) In section 18 (indicative amounts for doctors' practices)—
- (a) in subsection (1)—
    - (i) after “financial year,” there is inserted “ every Primary Care Trust and ”, and
    - (ii) before “Health Authority”, in the second and third places it occurs, there is inserted “ Primary Care Trust or ”,
  - (b) before “Health Authority”, in each other place where it occurs except in subsection (7), there is inserted “ Primary Care Trust or ”, and
  - (c) in subsection (7), for “Health Authority” there is substituted “ Primary Care Trust ”.
- (2) This paragraph shall cease to have effect on the coming into force of paragraph 80 of Schedule 4 to the 1999 Act (which repeals section 18 of the National Health Service and Community Care Act 1990).

- 56 In section 47 (assessment of needs for community care services), in subsection (3) —
- (a) before “Health Authority”, where it first occurs, there is inserted “ Primary Care Trust or ”, and
  - (b) before “Health Authority”, in each other place where it occurs, there is inserted “ Primary Care Trust, ”.

57 In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after “Strategic Health Authority,” (inserted by paragraph 44 of Schedule 1 to this Act) there is inserted “ Primary Care Trust, ”.

F<sup>6</sup>58 .....

**Annotations:**

**Amendments (Textual)**

**F6** Sch. 2 para. 58 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

*The Access to Health Records Act 1990 (c. 23)*

59 (1) The Access to Health Records Act 1990 is amended as provided in this paragraph.

- (2) In section 1 (definitions of certain terms), in subsection (2)(a)(ii), before “Health Authority” there is inserted “ Primary Care Trust, ”.

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- (3) In section 7 (duty of health service bodies etc to take advice), before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust, ”.

*The Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

- 60 In section 279 of the Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners), in paragraph (a), before “Health Authority” there is inserted “ Primary Care Trust or ”.

*The Health Service Commissioners Act 1993 (c. 46)*

- 61 (1) The Health Service Commissioners Act 1993 is amended as provided in this paragraph.
- (2) In section 2 (bodies subject to investigation)—
- (a) in subsection (1), in paragraph (da), “established for areas in England” is omitted, and
- (b) in subsection (2), in paragraph (a), “whose areas are in Wales” is omitted.
- (3) In section 6 (which provides for certain action by Health Authorities, etc not to be investigated), in each of subsections (3) and (5), after “taken by a” there is inserted “ Primary Care Trust or ”.

*The Health Authorities Act 1995 (c. 17)*

- 62 In Schedule 2 to the Health Authorities Act 1995 (transitional provisions and savings), in paragraph 2, before “Health Authority”, in each place where it occurs, there is inserted “ Primary Care Trust, ”.

*The Employment Rights Act 1996 (c. 18)*

- 63 In section 43K of the Employment Rights Act 1996 (extended meaning of “worker” for Part 4A of that Act), in subsection (1)(c)(i), before “Health Authority” there is inserted “ Primary Care Trust or ”.

*The Police Act 1997 (c. 50)*

- 64 [<sup>F7</sup>In section 115 of the Police Act 1997 (enhanced criminal record certificates), in subsection (6E), before “Health Authority”, in both places, there is inserted “ Primary Care Trust or ”.]

**Annotations:**

**Amendments (Textual)**

- F7** Sch. 2 para. 64 repealed (6.4.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(8), [Sch. 17 Pt. 2](#); S.I. 2006/378, art. 7(f)

*The School Standards and Framework Act 1998 (c. 31)*

- 65 In Schedule 9 to the School Standards and Framework Act 1998 (which provides for the constitution of school governing bodies), in paragraph 10 (community special

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schools), in sub-paragraph (5)(a), after “by the” there is inserted “ Primary Care Trust or ”.

*The Government of Wales Act 1998 (c. 38)*

- 66 (1) The Government of Wales Act 1998 is amended as provided in this paragraph.
- (2) In Schedule 5 (bodies and offices covered by section 74), in paragraph 20, “for an area in, or consisting of, Wales” is omitted.
- (3) In Schedule 17 (audit, etc, of Welsh public bodies), in paragraph 12, “for an area in, or consisting of, Wales” is omitted.

*The 1999 Act*

<sup>F8</sup>67 .....

**Annotations:**

**Amendments (Textual)**

**F8** Sch. 2 para. 67 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F9</sup>68 .....

**Annotations:**

**Amendments (Textual)**

**F9** [Sch. 2 para. 68](#) repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [The National Health Service \(Pre-consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), [Sch. 2](#) (with art. 4)

<sup>F10</sup>69 .....

**Annotations:**

**Amendments (Textual)**

**F10** Sch. 2 para. 69 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

*The Care Standards Act 2000 (c. 14)*

- 70 In section 20 of the Care Standards Act 2000 (urgent procedure for cancellation, etc of registration of establishment or agency), in subsection (6)(b), before “Health Authority” there is inserted “ Primary Care Trust or ”.

*The Health and Social Care Act 2001 (c. 15)*

- 71 The Health and Social Care Act 2001 is amended as follows.

<sup>F11</sup>72 .....

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**Annotations:**

**Amendments (Textual)**

**F11** Sch. 2 para. 72 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2004/288, art. 6(2)(s) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(s) (as amended by S.I. 2004/1019 and S.I. 2006/345)

**F1273** .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F1274** .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F1275** .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F1276** .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F1277** .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**F1278** .....

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**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F12</sup>79 .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F12</sup>80 .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F12</sup>81 .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F12</sup>82 .....

**Annotations:**

**Amendments (Textual)**

**F12** Sch. 2 paras. 73-82 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Sch. 2 para. 46 omitted by 2012 c. 7 Sch. 5 para. 28(4)
- Sch. 2 para. 47 omitted by 2012 c. 7 s. 40(8)
- Sch. 2 para. 49 omitted by 2012 c. 7 Sch. 5 para. 31(2)(a)
- Sch. 2 omitted by 2012 c. 7 Sch. 5 para. 103
- Sch. 2 para. 55 repealed by 2002 c. 17 Sch. 9 Pt. 1
- Sch. 2 para. 64 repealed by 2003 c. 44 Sch. 37 Pt. 11
- Sch. 2 para. 11 repealed by 2006 c. 28 Sch. 9
- Sch. 2 para. 12(3) repealed by 2006 c. 28 Sch. 9
- Sch. 2 para. 12(4)(a) repealed by 2006 c. 28 Sch. 9
- Sch. 2 para. 43-45 repealed by 2007 c. 12 Sch. 11 Pt. 5

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 title substituted by 2012 c. 7 s. 222(5)
- s. 17(1)(fb) substituted for s. 17(1)(fa) by 2006 c. 28 Sch. 8 para. 50(a)
- s. 25 title substituted by 2008 c. 14 Sch. 10 para. 16
- s. 25 title substituted by 2012 c. 7 s. 222(3)
- s. 25(2)(2A) words substituted by 2012 c. 7 Sch. 15 para. 62(a)
- s. 25(2A) inserted by 2008 c. 14 s. 113(3)
- s. 25(2A)(2B) substituted for s. 25(2A) by 2015 c. 28 s. 5(1)
- s. 25(2A) words substituted by 2012 c. 7 s. 223(2)
- s. 25(3)(ga)(gb) substituted for s. 25(3)(h)(i) by 2008 c. 14 Sch. 10 para. 17(2)
- s. 25(3)(gb) words substituted by 2012 c. 7 Sch. 15 para. 56(b)
- s. 25(3)(gc) inserted by 2017 c. 16 Sch. 4 para. 2(2)
- s. 25(3A) excluded by 2003 c. 31, s. 5B(12)(b) (as inserted) by 2015 c. 9 s. 74
- s. 25(3A)(3B) inserted by 2012 c. 7 s. 220(6)
- s. 25(3A) substituted by 2017 c. 16 Sch. 4 para. 2(3)
- s. 25(3B) words substituted by 2017 c. 16 Sch. 4 para. 2(4)
- s. 25A inserted by 2012 c. 7 s. 224(1)
- s. 25A heading words inserted by 2017 c. 16 Sch. 4 para. 3(3)
- s. 25A(1) words inserted by 2017 c. 16 Sch. 4 para. 3(2)
- s. 25B inserted by 2012 c. 7 s. 225(1)
- s. 25C inserted by 2012 c. 7 s. 227
- s. 25C(7) words inserted by 2017 c. 16 Sch. 4 para. 5
- s. 25C(8)(h) words substituted by 2017 c. 16 Sch. 5 para. 47(i)
- s. 25D-25F inserted by 2012 c. 7 s. 228
- s. 25D(1) words inserted by 2017 c. 16 Sch. 4 para. 6(2)
- s. 25D(2)(b) and word omitted by 2017 c. 16 Sch. 4 para. 6(3)
- s. 25E(10)(11) omitted by 2017 c. 16 Sch. 4 para. 7
- s. 25F(3)(c) words substituted by 2017 c. 16 Sch. 4 para. 8
- s. 25G-25I inserted by 2012 c. 7 s. 229(1)
- s. 25G(10) inserted by 2017 c. 16 Sch. 4 para. 9
- s. 25H(3)(c) words substituted by 2017 c. 16 Sch. 4 para. 10
- s. 25I(1)(a) words omitted by 2017 c. 16 Sch. 4 para. 11
- s. 25AA inserted by 2017 c. 16 Sch. 4 para. 4
- s. 26 title word substituted by 2012 c. 7 Sch. 15 para. 62(i)
- s. 26(2A) inserted by 2012 c. 7 s. 229(2)
- s. 26(3A) inserted by 2012 c. 7 s. 229(3)

- s. 26(4A) inserted by 2012 c. 7 s. 229(4)
- s. 26(13) inserted by 2012 c. 7 s. 229(5)
- s. 26A inserted by 2008 c. 14 s. 116(1)
- s. 26A(1)(2) words substituted by 2012 c. 7 Sch. 15 para. 62(c)
- s. 26A(1A) inserted by 2012 c. 7 s. 223(3)
- s. 26A(1B)-(1E) inserted by 2012 c. 7 s. 229(6)
- s. 26A(1D)(b) omitted by 2017 c. 16 Sch. 4 para. 12(2)
- s. 26A(1E) substituted by 2017 c. 16 Sch. 4 para. 12(3)
- s. 26A(2) word substituted by 2012 c. 7 Sch. 15 para. 65
- s. 26A(2A) inserted by 2012 c. 7 s. 223(4)
- s. 26A(3) words inserted by 2012 c. 7 s. 223(5)
- s. 26B inserted by 2008 c. 14 s. 117
- s. 26B(1) words substituted by 2012 c. 7 Sch. 15 para. 62(d)
- s. 26B(1A)-(1C) inserted by 2012 c. 7 s. 229(7)
- s. 26B(2) words inserted by 2012 c. 7 s. 229(8)
- s. 26B(4) words inserted by 2012 c. 7 s. 229(9)
- s. 26B(4) words substituted by 2012 c. 7 Sch. 15 para. 62(d)
- s. 26B(4)(b) words substituted by 2012 c. 7 s. 223(6)
- s. 27 title word substituted by 2012 c. 7 Sch. 15 para. 62(i)
- s. 29 title word substituted by 2012 c. 7 Sch. 15 para. 62(i)
- s. 29(1)(ca) inserted by S.I. 2015/794 art. 18(2)
- s. 29(2A) inserted by 2017 c. 16 Sch. 4 para. 15(2)
- s. 29(4)(4A) substituted for s. 29(4) by S.I. 2015/794 art. 18(3)
- s. 29(5A) inserted by 2012 c. 7 s. 223(10)
- s. 29(5A) substituted by 2017 c. 16 Sch. 4 para. 15(3)
- s. 29(6)(a) words inserted by S.I. 2015/794 art. 18(4)(a)
- s. 29(6)(b) and word inserted by S.I. 2015/794 art. 18(4)(b)
- s. 29(7A) inserted by S.I. 2015/794 art. 18(6)
- s. 29(9)(10) inserted by S.I. 2015/794 art. 18(8)
- s. 29A inserted by S.I. 2015/794 art. 18(9)
- s. 38(3A)-(3D) inserted by 2012 c. 7 s. 224(3)
- s. 38(3E) inserted by 2012 c. 7 s. 223(13)
- s. 38(3F) inserted by 2012 c. 7 s. 226(9)
- s. 38(4A) inserted by 2012 c. 7 s. 230(5)
- Sch. 2 para. 48(a)(c) omitted by 2012 c. 7 s. 45(2)
- Sch. 7 para. 6(ba) inserted by 2008 c. 14 s. 114(3)(c)
- Sch. 7 para. 16(1A) inserted by 2008 c. 14 s. 114(6)
- Sch. 7 para. 14(2A) inserted by 2012 c. 7 s. 224(4)
- Sch. 7 para. 16(1B) inserted by 2012 c. 7 s. 226(7)
- Sch. 7 title substituted by 2008 c. 14 Sch. 10 para. 19
- Sch. 7 title substituted by 2012 c. 7 Sch. 15 para. 66
- Sch. 7 para. 11(1) word substituted by 2012 c. 7 s. 226(5)(a)
- Sch. 7 para. 4(e) words substituted by 2012 c. 7 s. 226(2)(a)
- Sch. 7 para. 4(f) words substituted by 2012 c. 7 s. 226(2)(b)
- Sch. 7 para. 6(a)(b)(c) words substituted by 2012 c. 7 Sch. 15 para. 62(h)
- Sch. 7 para. 11(1)(2)(3)(4) words substituted by 2012 c. 7 Sch. 15 para. 62(h)
- Sch. 7 para. 11(2) words substituted by 2012 c. 7 s. 226(5)(b)
- Sch. 7 para. 16(1A)(a)(b) words substituted by 2012 c. 7 Sch. 15 para. 62(h)
- Sch. 7 para. 16(1A)(a) words substituted by 2012 c. 7 s. 223(14)

**Commencement Orders yet to be applied to the National Health Service Reform and Health Care Professions Act 2002**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2008/461 art. 2 commences (2007 c. 28)
- S.I. 2008/1210 art. 2 commences (2007 c. 12)
- S.I. 2008/1972 art. 2 commences (2006 c. 28)



- [S.I. 2008/3244 art. 23](#) commences (2008 c. 14)
- [S.I. 2010/1621 art. 2Sch.](#) commences (S.I. 2010/231)