

*Changes to legislation:* National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### <sup>F1</sup>SCHEDULE 1

Section 1(3)

#### Textual Amendments

- F1** Sch. 1 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 5 para. 102](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

### <sup>F2</sup>SCHEDULE 2

Section 2(5)

#### Textual Amendments

- F2** Sch. 2 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 5 para. 103](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

### SCHEDULE 3

Section 4(3)

#### AMENDMENTS RELATING TO PERSONAL MEDICAL SERVICES AND PERSONAL DENTAL SERVICES

#### PART 1

#### AMENDMENTS OF THE NATIONAL HEALTH SERVICE (PRIMARY CARE) ACT 1997

<sup>F3</sup><sub>1</sub> .....

#### Textual Amendments

- F3** Sch. 3 para. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\), s. 8\(2\)](#), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F4</sup><sub>2</sub> .....

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**Textual Amendments**

**F4** Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

**F43** .....

**Textual Amendments**

**F4** Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

**F44** .....

**Textual Amendments**

**F4** Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

**F45** .....

**Textual Amendments**

**F4** Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

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F46 .....

**Textual Amendments**

**F4** Sch. 3 paras. 2-6 repealed (1.4.2004 for the repeal of Sch. 3 paras. 5, 6 except for W., 1.4.2004 for W. for the repeal of Sch. 3 paras. 5, 6, 1.4.2006 for E. so far as not already in force, 1.4.2006 for W. for the repeal of Sch. 3 para. 2(1)(3) 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 Pt. 2 para. 13 (with art. 4)

F57 .....

**Textual Amendments**

**F5** Sch. 3 para. 7 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)

F68 .....

**Textual Amendments**

**F6** Sch. 3 para. 8 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)

F79 .....

**Textual Amendments**

**F7** Sch. 3 para. 9 omitted (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by virtue of [The National Health Service \(Pre-consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), **Sch. 1 para. 10** (with art. 4)

F810 .....

**Textual Amendments**

**F8** Sch. 3 para. 10 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)

**Changes to legislation:** *National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## PART 2

### AMENDMENTS OF OTHER ACTS

#### *The 1977 Act*

<sup>F9</sup>11 .....

#### **Textual Amendments**

**F9** Sch. 3 para. 11 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](#))

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<sup>F10</sup>12 .....

#### **Textual Amendments**

**F10** Sch. 3 para. 12 and cross-heading omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 21 para. 3(4)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

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

13 In section 279 of the Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners), in paragraph (a), after “by a” there is inserted “Strategic Health Authority,”.

#### *The 1999 Act*

<sup>F11</sup>14 .....

#### **Textual Amendments**

**F11** Sch. 3 para. 14 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 Health and Social Care Act 2001 (c. 15)*

<sup>F12</sup>15 .....

#### **Textual Amendments**

**F12** Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925, art. 11; S.I. 2006/1407, art. 1(1), [Sch. 1 para. 13](#) (with art. 4)

<sup>F12</sup>16 .....

**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F12** Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925, art. 11; S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

**F12**<sub>17</sub> .....

**Textual Amendments**

**F12** Sch. 3 paras. 15-17 repealed (1.4.2006 for E., 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. 2005/2925, art. 11; S.I. 2006/1407, art. 1(1), Sch. 1 para. 13 (with art. 4)

**F13** SCHEDULE 4

Section 6(2)

LOCAL HEALTH BOARDS

**Textual Amendments**

**F13** Sch. 4 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](#))

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SCHEDULE 5

Section 6(2)

AMENDMENTS RELATING TO LOCAL HEALTH BOARDS

*The Public Bodies (Admission to Meetings) Act 1960 (c. 67)*

1 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 (bodies to which the Act applies), after paragraph 1(gg) there is inserted—  
“(gh) Local Health Boards;”.

**Commencement Information**

**I1** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)  
**I2** Sch. 5 para. 1 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

- 2 (1) Section 63 of the Health Services and Public Health Act 1968 (provision of instruction for officers of hospital authorities etc) is amended as follows.
  - (2) In subsection (1)(a), for “or Primary Care Trust” there is substituted “, Primary Care Trust or Local Health Board”.
  - (3) In subsection (5A), for “or Primary Care Trust”, in both places, there is substituted “, Primary Care Trust or Local Health Board”.
  - (4) In subsection (5B), the “and” at the end of paragraph (bb) is omitted, and after that paragraph there is inserted—  
“(bbb) Local Health Boards; and”.

**Commencement Information**

**I3** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)

**I4** Sch. 5 para. 2 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Employers’ Liability (Compulsory Insurance) Act 1969 (c. 57)*

- 3 In section 3 of the Employers’ Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), in subsection (2)(a)—
  - (a) for “1978 and” there is substituted “ 1978, ”, and
  - (b) after “1977” there is inserted “ and a Local Health Board established under section 16BA of that Act ”.

**Commencement Information**

**I5** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)

**I6** Sch. 5 para. 3 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The 1977 Act*

F144 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

F145 .....

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**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>6</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>7</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>8</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>9</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>10</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>11</sub> .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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](#))

**F14**<sub>12</sub> .....

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**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>13 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>14 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>15 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>16 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>17 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>18 .....

**Textual Amendments**

**F14** Sch. 5 paras. 4-20 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>F14</sup>19 .....



*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

- F14** Sch. 5 paras. 4-20 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>F14</sup>20 . . . . .

**Textual Amendments**

- F14** Sch. 5 paras. 4-20 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](#))

21 [<sup>F15</sup>In section 98 (accounts and audit), in subsection (1), after paragraph (bb) there is inserted—  
“(bbb) every Local Health Board;”.]

**Textual Amendments**

- F15** Sch. 5 para. 21 repealed (1.2.2007 so far as relating to Welsh NHS bodies) by [Health Act 2006 \(c. 28\)](#), s. 83(7), [Sch. 9](#); [S.I. 2007/204](#), art. 4(c)

**Commencement Information**

- I7** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), art. 2, [Sch.](#)
- I8** Sch. 5 para. 21 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

<sup>F16</sup>22 . . . . .

**Textual Amendments**

- F16** Sch. 5 para. 22 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>F17</sup>23 . . . . .

**Textual Amendments**

- F17** Sch. 5 para. 23 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>F18</sup>24 . . . . .

**Textual Amendments**

- F18** Sch. 5 para. 24 repealed (20.10.2003 for W., 1.12.2003 for E.) by [Health \(Wales\) Act 2003 \(c. 4\)](#), s. 10(2), [Sch. 4](#); [S.I. 2003/2660](#), art. 2(1)(iii)(2); [S.I. 2003/3064](#), art. 2(1)(iii)(2)

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*The Acquisition of Land Act 1981 (c. 67)*

- 25 In section 16 of the Acquisition of Land Act 1981 (statutory undertakers' land excluded from compulsory purchase), in subsection (3), the “and” at the end of paragraph (b) is omitted, and at the end of paragraph (c) there is inserted

“and

(d) a Local Health Board established under section 16BA of that Act;”.

**Commencement Information**

- I9** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I10** Sch. 5 para. 25 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Hospital Complaints Procedure Act 1985 (c. 42)*

- 26 In section 1 of the Hospital Complaints Procedure Act 1985 (hospital complaints procedure), in subsection (1B), after “Trust”, where it first occurs, there is inserted “and Local Health Board ”, and in the second place where it occurs there is inserted “ or Local Health Board ”.

**Commencement Information**

- I11** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I12** Sch. 5 para. 26 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Income and Corporation Taxes Act 1988 (c. 1)*

**F19**27 .....

**Textual Amendments**

- F19** Sch. 5 para. 27 repealed (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), [Sch. 3 Pt. 1](#) (with [Sch. 2](#))

*The Housing Act 1988 (c. 50)*

- 28 In Schedule 2 to the Housing Act 1988 (grounds for possession of dwelling-houses let on assured tenancies), in the second paragraph of Ground 16, after “1990,” there is inserted “ or by a Local Health Board, ”.

**Commencement Information**

- I13** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

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**I14** Sch. 5 para. 28 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Road Traffic Act 1988 (c. 52)*

29 In section 144 of the Road Traffic Act 1988 (exceptions from requirement of third-party insurance or security), in subsection (2)(da), after “1977” there is inserted “, by a Local Health Board established under section 16BA of that Act”.

**Commencement Information**

- I15** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I16** Sch. 5 para. 29 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

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

**Commencement Information**

- I17** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I18** Sch. 5 para. 30 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

<sup>F20</sup>31 .....

**Textual Amendments**

- F20** Sch. 5 paras. 31-33 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>F20</sup>32 .....

**Textual Amendments**

- F20** Sch. 5 paras. 31-33 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>F20</sup>33 .....

**Textual Amendments**

- F20** Sch. 5 paras. 31-33 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](#))

34 In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after “Health Authority” there is inserted “, Local Health Board”.

**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Commencement Information

- I19** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I20** Sch. 5 para. 34 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

35 In section 61 (health service bodies: taxation), in subsection (3), after “Primary Care Trust” there is inserted “ or Local Health Board ”.

#### Commencement Information

- I21** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I22** Sch. 5 para. 35 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

<sup>F21</sup>36 .....

#### Textual Amendments

- F21** Sch. 5 para. 36 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 Welsh Language Act 1993 (c. 38)*

37 In section 6 of the Welsh Language Act 1993 (meaning of “public body”), in subsection (1), after paragraph (f) there is inserted—  
 “(ff) a Local Health Board established under section 16BA of the National Health Service Act 1977;”.

#### Commencement Information

- I23** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)
- I24** Sch. 5 para. 37 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

<sup>F22</sup>38 .....

#### Textual Amendments

- F22** Sch. 5 para. 38 repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005](#) (c. 10), s. 40, [Sch. 7](#); [S.I. 2005/2800](#), [art. 5\(1\)\(3\)](#)

**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

*The Vehicle Excise and Registration Act 1994 (c. 22)*

39 In Schedule 2 to the Vehicle Excise and Registration Act 1994 (exempt vehicles), in paragraph 7, at the end of sub-paragraph (d) there is inserted

“or

(e) a Local Health Board established under section 16BA of that Act.”

**Commencement Information**

**I25** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

**I26** Sch. 5 para. 39 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Value Added Tax Act 1994 (c. 23)*

40 In section 41 of the Value Added Tax Act 1994 (application to Crown), in subsection (7), after “Primary Care Trust” there is inserted “ and a Local Health Board ”.

**Commencement Information**

**I27** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

**I28** Sch. 5 para. 40 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Data Protection Act 1998 (c. 29)*

41 In section 69 of the Data Protection Act 1998 (meaning of “health professional”), in subsection (3), after paragraph (bb) there is inserted—

“(bbb) a Local Health Board established under section 16BA of that Act.”.

**Commencement Information**

**I29** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

**I30** Sch. 5 para. 41 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

42 (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), after paragraph 25 there is inserted—

“25A A Local Health Board.”

(3) In Schedule 17 (audit etc of Welsh public bodies), after paragraph 12 there is inserted—

*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“12A A Local Health Board.”

**Commencement Information**

- I31** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I32** Sch. 5 para. 42 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The 1999 Act*

<sup>F23</sup>43 . . . . .

**Textual Amendments**

- F23** Sch. 5 para. 43 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>F24</sup>44 . . . . .

**Textual Amendments**

- F24** Sch. 5 para. 44 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); [S.I. 2004/759](#), art. 13

<sup>F25</sup>45 . . . . .

**Textual Amendments**

- F25** Sch. 5 para. 45 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)*

46 In section 121 of the Care Standards Act 2000 (general interpretation), in subsection (1), in the definition of “National Health Service body”, for “or a Primary Care Trust” there is substituted “, a Primary Care Trust or a Local Health Board”.

**Commencement Information**

- I33** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I34** Sch. 5 para. 46 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Learning and Skills Act 2000 (c. 21)*

47 In section 138 of the Learning and Skills Act 2000 (Wales: provision of information by public bodies), in subsection (3), after paragraph (b) there is inserted—

*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“(ba) a Local Health Board.”

**Commencement Information**

- I35** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I36** Sch. 5 para. 47 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

*The Freedom of Information Act 2000 (c. 36)*

48 In Schedule 1 to the Freedom of Information Act 2000 (public authorities for the purposes of the Act), in Part 3 (National Health Service), after paragraph 39 there is inserted—

“39A A Local Health Board established under section 16BA of the National Health Service Act 1977.”

**Commencement Information**

- I37** Sch. 5 not in force at Royal Assent, see s. 42(3); Sch. 5 in force for W. at 10.10.2002 by [S.I. 2002/2532, art. 2, Sch.](#)
- I38** Sch. 5 para. 48 in force at 1.3.2007 in so far as not already in force, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407, art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

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

<sup>F26</sup>49 .....

**Textual Amendments**

- F26** Sch. 5 paras. 49-51 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>F26</sup>50 .....

**Textual Amendments**

- F26** Sch. 5 paras. 49-51 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>F26</sup>51 .....

**Textual Amendments**

- F26** Sch. 5 paras. 49-51 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:* National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 6

Section 20(11)

THE COMMISSION FOR PATIENT AND PUBLIC INVOLVEMENT IN HEALTH

Status

F27<sub>1</sub> .....

**Textual Amendments**

F27 Sch. 6 paras. 1-15 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](#))

Powers

F27<sub>2</sub> .....

**Textual Amendments**

F27 Sch. 6 paras. 1-15 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](#))

Membership

F27<sub>3</sub> .....

**Textual Amendments**

F27 Sch. 6 paras. 1-15 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](#))

Appointment, procedure etc

F27<sub>4</sub> .....

**Textual Amendments**

F27 Sch. 6 paras. 1-15 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](#))

F27<sub>5</sub> .....

**Textual Amendments**

F27 Sch. 6 paras. 1-15 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](#))

F27<sub>6</sub> .....



**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Remuneration and allowances*

**F27**<sub>7</sub> .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Staff*

**F27**<sub>8</sub> .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Delegation of functions*

**F27**<sub>9</sub> .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Assistance*

**F27**<sub>10</sub> .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Payments and loans to the Commission*

**F27**<sub>11</sub> .....

*Changes to legislation:* National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Accounts and audit*

<sup>F27</sup>12 .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Reports and other information*

<sup>F27</sup>13 .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Application of seal and evidence*

<sup>F27</sup>14 .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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>F27</sup>15 .....

**Textual Amendments**

**F27** Sch. 6 paras. 1-15 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](#))

*Miscellaneous amendments*

16 In the First Schedule to the Public Records Act 1958 (c. 51) (definition of public records), the following entry is inserted at the appropriate place in Part 2 of the Table at the end of paragraph 3—

“Commission for Patient and Public Involvement in Health.”

**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Commencement Information

**I39** Sch. 6 para. 16 partly in force; Sch. 6 para. 16 not in force at Royal Assent, see s. 42(3); Sch. 6 para. 16 in force for E. at 1.1.2003 by [S.I. 2002/3190](#), [art. 2](#)

<sup>F28</sup>17 .....

#### Textual Amendments

**F28** Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

<sup>F28</sup>18 .....

#### Textual Amendments

**F28** Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

<sup>F28</sup>19 .....

#### Textual Amendments

**F28** Sch. 6 paras. 17-19 repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 2(4)(b)(c)

## SCHEDULE 7

Section 25(4)

[<sup>F29</sup>THE PROFESSIONAL STANDARDS AUTHORITY FOR HEALTH AND SOCIAL CARE]

#### Textual Amendments

**F29** Sch. 7 title substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 66](#); [S.I. 2012/2657](#), art. 2(3)

#### Status

1 [<sup>F30</sup>The Authority] is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the [<sup>F31</sup>Authority's] property is not to be regarded as property of, or property held on behalf of, the Crown.

#### Textual Amendments

**F30** Words in Sch. 7 para. 1 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 63](#); [S.I. 2012/2657](#), art. 2(3)

*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**F31** Word in Sch. 7 para. 1 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 65](#); S.I. 2012/2657, art. 2(3)

- 2 For the purposes of—
- (a) section 23(2)(b) of the Scotland Act 1998 (c. 46) (power of Scottish Parliament to require persons outside Scotland to attend to give evidence or produce documents); and
  - (b) section 70(6) of that Act (accounts prepared by cross-border bodies),
- the [<sup>F32</sup>Authority] is to be treated as a cross-border public authority within the meaning of that Act.

#### Textual Amendments

**F32** Word in Sch. 7 para. 2 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

#### *Powers*

- 3 The power in section 26(1) includes the power to—
- (a) acquire and dispose of land and other property, and
  - (b) enter into contracts.

#### *Membership and chairman*

- [<sup>F334</sup> [<sup>F34</sup>The Authority] is to consist of—
- (a) a chair appointed by the Privy Council,
  - (b) one non-executive member appointed by the Scottish Ministers,
  - (c) one non-executive member appointed by the Welsh Ministers,
  - (d) one non-executive member appointed by the Department of Health, Social Services and Public Safety in Northern Ireland,
  - (e) three non-executive members appointed by [<sup>F35</sup>the Privy Council], and
  - (f) [<sup>F36</sup>one executive member] appointed in accordance with paragraph 11.]

#### Textual Amendments

- F33** Sch. 7 para. 4 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\), ss. 114\(2\)](#), 170(3)(4); S.I. 2008/3244, art. 2(b)
- F34** Words in Sch. 7 para. 4 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 63](#); S.I. 2012/2657, art. 2(3)
- F35** Words in Sch. 7 para. 4(e) substituted (9.6.2014) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(2\)\(a\)](#), 306(4); S.I. 2014/1454, art. 2
- F36** Words in Sch. 7 para. 4(f) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(2\)\(b\)](#), 306(4); S.I. 2012/2657, art. 2(3)

#### *Appointment, procedure etc*

<sup>F37</sup>5 .....

*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Textual Amendments

**F37** Sch. 7 para. 5 repealed (1.10.2006) by [Health Act 2006 \(c. 28\)](#), s. 83(7), [Sch. 8 para. 52](#), [Sch. 9](#); [S.I. 2006/2603](#), art. 4(5)(c)(iv)(e), [Sch.](#)

- 6 <sup>[F38]</sup>The Privy Council] may by regulations provide for—
- <sup>[F39]</sup>(a) the conditions to be fulfilled for appointment as chair or other member of the <sup>[F40]</sup>Authority],
- (b) the tenure of office of the <sup>[F41]</sup>chair and non-executive members] of the <sup>[F40]</sup>Authority] (including the circumstances in which they cease to hold office or may be removed or suspended from office),
- <sup>[F42]</sup>(ba) the appointment of a member as deputy chair and the circumstances in which that member ceases to hold, or may be removed from, office as deputy chair,] and
- (c) the appointment of, constitution of and exercise of functions by committees and sub-committees of the <sup>[F40]</sup>Authority] (including committees and sub-committees which consist of or include persons who are not members of the <sup>[F40]</sup>Authority]).

#### Textual Amendments

- F38** Words in Sch. 7 para. 6 substituted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 226\(3\)](#), [306\(4\)](#); [S.I. 2018/617](#), art. 2(b) (with art. 3)
- F39** Sch. 7 para. 6(a) substituted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(a\)](#), 170; [S.I. 2008/3244](#), art. 2(b)
- F40** Words in Sch. 7 para. 6(a)(b)(c) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); [S.I. 2012/2657](#), art. 2(3)
- F41** Words in Sch. 7 para. 6(b) substituted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(b\)](#), 170; [S.I. 2008/3244](#), art. 2(b)
- F42** Sch. 7 para. 6(ba) inserted (21.7.2008 for specified purposes, 1.1.2009 in so far as not already in force) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(3\)\(c\)](#), 170; [S.I. 2008/3244](#), art. 2(b)

#### Commencement Information

**I40** Sch. 7 para. 6 wholly in force at 27.8.2002; Sch. 7 para. 6 in force for certain purposes at Royal Assent, see s. 42(3); Sch. 7 para. 6 in force at 27.8.2002 by [S.I. 2002/2202](#), [art. 2\(1\)](#)

- 7 The <sup>[F43]</sup>Authority] may regulate its own procedure.

#### Textual Amendments

**F43** Word in Sch. 7 para. 7 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); [S.I. 2012/2657](#), art. 2(3)

- 8 The validity of any proceedings of the <sup>[F44]</sup>Authority] is not affected by a vacancy amongst its members or by a defect in the appointment of a member.

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#### Textual Amendments

**F44** Word in Sch. 7 para. 8 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

#### Members' interests

- 9 (1) The [<sup>F45</sup>Authority] must establish and maintain a system for the declaration and registration of private interests of its members.
- (2) The [<sup>F45</sup>Authority] must publish entries recorded in the register of members' interests.

#### Textual Amendments

**F45** Words in Sch. 7 para. 9(1)(2) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

#### Remuneration and allowances

- 10 (1) The [<sup>F46</sup>Authority] may pay to its [<sup>F47</sup>chair], and to any other member of the [<sup>F46</sup>Authority], such remuneration and allowances as [<sup>F48</sup>the Authority] may determine.
- (2) The [<sup>F46</sup>Authority] may pay to any member of a committee or sub-committee of the [<sup>F46</sup>Authority] such allowances as [<sup>F48</sup>the Authority] may determine.
- [<sup>F49</sup>(3) The Authority may provide for the payment of such pension, allowance or gratuities as it may determine to or in respect of a person who is or has been the chair or any other member of the Authority.
- (4) The Authority may, where it considers there are special circumstances that make it right for a person ceasing to hold office as chair of the Authority to receive compensation, pay the person such compensation as it may determine.]

#### Textual Amendments

- F46** Word in Sch. 7 para. 10(1)(2) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F47** Word in Sch. 7 para. 10 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\), ss. 114\(4\), 170\(3\)\(4\)](#); S.I. 2008/3244, art. 2(b)
- F48** Words in Sch. 7 para. 10(1)(2) substituted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(4\)\(a\), 306\(4\)](#); S.I. 2018/617, art. 2(b) (with art. 3)
- F49** Sch. 7 para. 10(3)(4) substituted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(4\)\(b\), 306\(4\)](#); S.I. 2018/617, art. 2(b) (with art. 3)

#### Employees

- [<sup>F50</sup>11 (1) The [<sup>F51</sup>Authority] may appoint the executive [<sup>F52</sup>member] referred to in paragraph 4(f) on such terms and conditions as the [<sup>F51</sup>Authority] may determine.

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- (2) The executive [<sup>F53</sup>member must be an employee] of the [<sup>F51</sup>Authority] .
- (3) Any decision of the [<sup>F51</sup>Authority] under sub-paragraph (1) must be taken by the members appointed under paragraph 4(a) to (e).
- (4) The [<sup>F51</sup>Authority] may appoint such other employees as it considers appropriate on such terms and conditions as it may determine.]

#### Textual Amendments

- F50** Sch. 7 para. 11 substituted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\), ss. 114\(5\), 170\(3\)\(4\); S.I. 2008/3244, art. 2\(b\)](#)
- F51** Words in Sch. 7 para. 11(1)(2)(3)(4) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\); S.I. 2012/2657, art. 2\(3\)](#)
- F52** Word in Sch. 7 para. 11(1) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(5\)\(a\), 306\(4\); S.I. 2012/2657, art. 2\(3\)](#)
- F53** Words in Sch. 7 para. 11(2) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(5\)\(b\), 306\(4\); S.I. 2012/2657, art. 2\(3\)](#)

#### Delegation of functions

- 12 (1) The [<sup>F54</sup>Authority] may arrange for the discharge of any of its functions by—
- (a) a committee, sub-committee, member or employee of the [<sup>F54</sup>Authority], or
  - (b) any other person.
- (2) If the [<sup>F54</sup>Authority] does arrange for the discharge of any function as mentioned in sub-paragraph (1)(b), the arrangements may include provision with respect to the payment of remuneration and allowances to, or amounts in respect of, such persons.

#### Textual Amendments

- F54** Words in Sch. 7 para. 12(1)(2) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\); S.I. 2012/2657, art. 2\(3\)](#)

#### Assistance

- 13 (1) The [<sup>F55</sup>Authority] may arrange for such persons as it thinks fit to assist it in the discharge of any of its functions in relation to a particular case or class of case.
- (2) Such arrangements may include provision with respect to the payment of remuneration and allowances to, or amounts in respect of, such persons.

#### Textual Amendments

- F55** Word in Sch. 7 para. 13 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\); S.I. 2012/2657, art. 2\(3\)](#)

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### Payments and loans to <sup>F56</sup>Authority]

- 14 (1) The Secretary of State may make payments out of money provided by Parliament to the <sup>F57</sup>Authority] of such amounts, at such times and on such conditions (if any) as he considers appropriate.
- (2) An appropriate authority may make payments to the <sup>F57</sup>Authority] of such amounts, at such times and on such conditions (if any) as it considers appropriate.
- <sup>F58</sup>(2A) The Authority may borrow money for the purposes of or in connection with its functions; and sub-paragraphs (3) and (4) are without prejudice to the generality of this sub-paragraph.]
- (3) The Secretary of State may make loans out of money provided by Parliament to the <sup>F57</sup>Authority] on such terms (including terms as to repayment and interest) as he may determine.
- (4) An appropriate authority may make loans to the <sup>F57</sup>Authority] on such terms (including terms as to repayment and interest) as it may determine.
- <sup>F59</sup>(5) .....
- <sup>F59</sup>(6) .....
- (7) The Secretary of State may give directions to the <sup>F60</sup>Authority] as to the application of any sums received by it under sub-paragraph (1) or (3).
- (8) An appropriate authority may give directions to the <sup>F60</sup>Authority] as to the application of any sums received by it from the authority under sub-paragraph (2) or (4).
- (9) The <sup>F60</sup>Authority] must comply with any directions under sub-paragraph (7) or (8).
- (10) In this paragraph, “appropriate authority” means the National Assembly for Wales, the Scottish Ministers or the Department of Health, Social Services and Public Safety in Northern Ireland.

#### Textual Amendments

- F56** Word in Sch. 7 para. 14 cross-heading substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(j\)](#); S.I. 2012/2657, art. 2(3)
- F57** Words in Sch. 7 para. 14(1)(2)(3)(4) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F58** Sch. 7 para. 14(2A) inserted (27.3.2012 for specified purposes, 16.3.2015 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 224\(4\)](#), 306(1)(d)(4); S.I. 2015/409, [art. 2](#)
- F59** Sch. 7 para. 14(5)(6) omitted (27.3.2012 for specified purposes, 16.3.2015 in so far as not already in force) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 224\(5\)](#), 306(1)(d)(4); S.I. 2015/409, [art. 2](#)
- F60** Words in Sch. 7 para. 14(7)(8)(9) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

### Accounts

- 15 (1) The <sup>F61</sup>Authority] must keep accounts in such form as <sup>F62</sup>the Privy Council] may determine.



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- (2) The [F61 Authority] must prepare annual accounts in respect of each financial year in such form as [F62 the Privy Council] may determine.
- (3) The [F61 Authority] must send copies of the annual accounts to F63 ... the Comptroller and Auditor General within such period after the end of the financial year to which the accounts relate as [F64 the Privy Council] may determine.
- (4) Within that period the [F61 Authority] must also send copies of the annual accounts to—
  - (a) the Scottish Ministers,
  - (b) the National Assembly for Wales, and
  - (c) the Department of Health, Social Services and Public Safety in Northern Ireland.
- (5) The Comptroller and Auditor General must examine, certify and report on the annual accounts and must lay copies of the accounts and of his report before Parliament.
- (6) A copy of the accounts shall be laid before—
  - (a) the Scottish Parliament by the Scottish Ministers,
  - (b) the Northern Ireland Assembly by the Department of Health, Social Services and Public Safety there,and the National Assembly for Wales shall publish the accounts.
- (7) In this paragraph and paragraph 16, “financial year” means—
  - (a) the period beginning with the date on which the [F65 Authority] is established and ending with the next 31st March following that date, and
  - (b) each successive period of 12 months ending with 31st March.

#### Textual Amendments

- F61** Word in Sch. 7 para. 15(1)(2)(3)(4) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F62** Words in Sch. 7 para. 15(1)(2) substituted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(6\)\(a\)](#), 306(4); S.I. 2018/617, art. 2(b) (with art. 3)
- F63** Words in Sch. 7 para. 15(3) omitted (4.6.2018) by virtue of [Health and Social Care Act 2012 \(c. 7\), ss. 226\(6\)\(b\)\(i\)](#), 306(4); S.I. 2018/617, art. 2(b) (with art. 3)
- F64** Words in Sch. 7 para. 15(3) substituted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\), ss. 226\(6\)\(b\)\(ii\)](#), 306(4); S.I. 2018/617, art. 2(b) (with art. 3)
- F65** Word in Sch. 7 para. 15(7)(a) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

#### Reports and other information

- 16 (1) The [F66 Authority] must prepare a report on the exercise of its functions during each financial year.
- [F67(1A)] The report must state—
  - (a) how the [F68 Authority], in exercising its functions, has promoted the health, safety and well-being of [F69 users of health care, users of social care in

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England, users of social work services in England] and other members of the public, and

- (b) how far, in the opinion of the [<sup>F68</sup>Authority], each regulatory body has complied with any duty imposed on it to promote the health, safety and well-being of such persons.]

[<sup>F70</sup>(1B) The Authority must, by such date in each year as the Privy Council determines, publish—

- (a) a strategic plan for the Authority for the coming financial year, and  
(b) a strategic plan for the Authority for such of the subsequent financial years as the Authority may determine.]

(2) As soon as possible after the end of each financial year, the [<sup>F71</sup>Authority] must lay a copy of its report for that year [<sup>F72</sup>, and a copy of each of its strategic plans published in that year,] before Parliament, the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

(3) The [<sup>F71</sup>Authority] must comply with any request by Parliament to prepare, and lay before it, other reports or to provide Parliament with other information.

(4) The [<sup>F71</sup>Authority] must also comply with any corresponding request by—  
(a) the Scottish Parliament, in relation to matters which concern a subject for which any member of the Scottish Executive has general responsibility,  
(b) the Northern Ireland Assembly, in relation to transferred matters concerning Northern Ireland (“transferred matters” having the meaning given by section 4(1) of the Northern Ireland Act 1998 (c. 47)).

#### Textual Amendments

- F66** Word in Sch. 7 para. 16(1) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F67** Sch. 7 para. 16(1A) inserted (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), [ss. 114\(6\)](#), 170(3)(4); S.I. 2008/3244, art. 2(b)
- F68** Words in Sch. 7 para. 16(1A)(a)(b) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F69** Words in Sch. 7 para. 16(1A)(a) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 223\(14\)](#), 306(4); S.I. 2012/1319, art. 2(4)
- F70** Sch. 7 para. 16(1B) inserted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 226\(7\)](#), 306(4); S.I. 2018/617, art. 2(b)
- F71** Words in Sch. 7 para. 16(2)(3)(4) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)
- F72** Words in Sch. 7 para. 16(2) inserted (4.6.2018) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 226\(8\)](#), 306(4); S.I. 2018/617, art. 2(b)

#### Commencement Information

- I41** Sch. 7 para. 16 wholly in force at 1.4.2003; Sch. 7 para. 16 not in force at Royal Assent, see s. 42(3); Sch. 7 para. 16(1)(2) in force at 1.12.2002 by [S.I. 2002/2202](#), [art. 2\(2\)](#); Sch. 7 para. 16(3)(4) in force at 1.4.2003 by [S.I. 2002/2202](#), [art. 2\(3\)](#)

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### *Application of seal and evidence*

- 17 The application of the seal of the [F73 Authority] must be authenticated by the signature of—
- (a) any member of the [F73 Authority], or
  - (b) any other person who has been authorised by the [F73 Authority] (whether generally or specially) for that purpose.

#### **Textual Amendments**

**F73** Words in Sch. 7 para. 17 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

- 18 A document purporting to be duly executed under the seal of the [F74 Authority] or to be signed on its behalf is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

#### **Textual Amendments**

**F74** Word in Sch. 7 para. 18 substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

### *Meetings of the [F75 Authority] in Northern Ireland*

- 19 (1) Sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 (c.9) (which provides for public access to meetings of a district council and for the publication of information concerning such meetings) shall, with the modifications set out below, apply in relation to meetings of the [F76 Authority] in Northern Ireland as they apply in relation to meetings of a district council.
- (2) The modifications are—
- (a) any reference to a district council shall be read as a reference to the [F77 Authority], and
  - (b) any reference to councillors or members of the council shall be read as references to members of the [F77 Authority].

#### **Textual Amendments**

**F75** Word in Sch. 7 para. 19 cross-heading substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(j\)](#); S.I. 2012/2657, art. 2(3)

**F76** Word in Sch. 7 para. 19(1) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

**F77** Words in Sch. 7 para. 19(2)(a)(b) substituted (1.12.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 62\(h\)](#); S.I. 2012/2657, art. 2(3)

### *Miscellaneous amendments*

F78 20 .....

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**Textual Amendments**

**F78** Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

<sup>F78</sup>21 .....

**Textual Amendments**

**F78** Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

<sup>F78</sup>22 .....

**Textual Amendments**

**F78** Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

<sup>F78</sup>23 .....

**Textual Amendments**

**F78** Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

<sup>F78</sup>24 .....

**Textual Amendments**

**F78** Sch. 7 paras. 20-24 repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 2](#); S.I. 2008/3244, art. 2(j)

SCHEDULE 8

Section 37(1)

MINOR AND CONSEQUENTIAL AMENDMENTS

*The 1977 Act*

<sup>F79</sup>1 .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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>F79</sup>2 .....

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**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>3</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>4</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>5</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>6</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>7</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>8</sup> .....

**Textual Amendments**

**F79** Sch. 8 paras. 1-9 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](#))

**F79**<sup>9</sup> .....

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#### Textual Amendments

**F79** Sch. 8 paras. 1-9 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](#))

**F80** 10 .....

#### Textual Amendments

**F80** Sch. 8 para. 10 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)

**F81** 11 .....

#### Textual Amendments

**F81** Sch. 8 para. 11 repealed (20.10.2003 for W., 1.12.2003 for E.) by [Health \(Wales\) Act 2003](#) (c. 4), s. 10(2), [Sch. 4](#); S.I. 2003/2660, art. 2(1)(iii)(2); S.I. 2003/3064, art. 2(1)(iii)(2)

**F82** 12 .....

#### Textual Amendments

**F82** Sch. 8 para. 12 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 Medical Act 1983 (c. 54)*

- 13 The Medical Act 1983 is amended as follows.
- 14 In section 40 (appeals), in subsection (11), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.
- 15 In Schedule 6 (transitional and saving provisions), in paragraph 18, “section 40(4) of this Act or” is omitted.

#### *The Dentists Act 1984 (c. 24)*

- 16 In section 29 of the Dentists Act 1984 (appeals), in subsection (4), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.

#### *The Opticians Act 1989 (c. 44)*

- 17 In section 23 of the Opticians Act 1989 (appeals in disciplinary and other cases), in subsection (2), for “enabling directions to be given as to the costs of” there is substituted “ any order as to costs (or, in Scotland, expenses) in relation to ”.

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

<sup>F83</sup>18 .....

**Textual Amendments**

**F83** Sch. 8 para. 18 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 Local Government (Wales) Act 1994 (c. 19)*

19 In Schedule 10 to the Local Government (Wales) Act 1994 (amendments relating to social services), paragraph 11(4) is omitted.

**Commencement Information**

**I42** Sch. 8 para. 19 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 19 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#)

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

20 The Health Authorities Act 1995 is amended as follows.

**Commencement Information**

**I43** Sch. 8 para. 20 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 20 in force at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(1\)\(e\)](#) and in force for certain purposes for E. at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(2\)\(b\)](#) ([S.I. 2002/2532](#), [art. 2](#), [Sch.](#) purports to bring Sch. 8 para. 20 in force on 10.10.2002 for W. only)

21 Section 1 (which substituted section 8 of the 1977 Act) is omitted.

**Commencement Information**

**I44** Sch. 8 para. 21 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 21 in force at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(1\)\(e\)](#) ([S.I. 2002/2532](#), [art. 2](#), [Sch.](#) purports to bring Sch. 8 para. 21 in force on 10.10.2002 for W. only)

22 In Schedule 1 (amendments), paragraphs 32(b), 53 and 107(12)(b) are omitted.

**Commencement Information**

**I45** Sch. 8 para. 22 not in force at Royal Assent, see s. 42(3); Sch. 8 para. 22 in force at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(1\)\(e\)](#) and in force for certain purposes at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(2\)\(b\)](#) ([S.I. 2002/2532](#), [art. 2](#), [Sch.](#) purports to bring Sch. 8 para. 22 in force on 10.10.2002 for W. only)

*The National Health Service (Primary Care) Act 1997 (c. 46)*

<sup>F84</sup>23 .....

*Changes to legislation:* National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

**Textual Amendments**

**F84** Sch. 8 paras. 23-27 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>F84</sup>24 .....

**Textual Amendments**

**F84** Sch. 8 paras. 23-27 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 Government of Wales Act 1998 (c. 38)*

<sup>F84</sup>25 .....

**Textual Amendments**

**F84** Sch. 8 paras. 23-27 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>F84</sup>26 .....

**Textual Amendments**

**F84** Sch. 8 paras. 23-27 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>F84</sup>27 .....

**Textual Amendments**

**F84** Sch. 8 paras. 23-27 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 1999 Act*

<sup>F85</sup>28 .....

**Textual Amendments**

**F85** Sch. 8 paras. 28-31 repealed (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), **Sch. 14 Pt. 2**; S.I. 2004/759, art. 13

<sup>F85</sup>29 .....



*Changes to legislation: National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F85** Sch. 8 paras. 28-31 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

**F85**30 .....

**Textual Amendments**

**F85** Sch. 8 paras. 28-31 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

**F85**31 .....

**Textual Amendments**

**F85** Sch. 8 paras. 28-31 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

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

**F86**32 .....

**Textual Amendments**

**F86** Sch. 8 paras. 32-37 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](#))

**F86**33 .....

**Textual Amendments**

**F86** Sch. 8 paras. 32-37 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](#))

**F86**34 .....

**Textual Amendments**

**F86** Sch. 8 paras. 32-37 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](#))

**F86**35 .....

**Textual Amendments**

**F86** Sch. 8 paras. 32-37 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](#))

*Changes to legislation:* National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F8636 .....

**Textual Amendments**  
F86 Sch. 8 paras. 32-37 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)

F8637 .....

**Textual Amendments**  
F86 Sch. 8 paras. 32-37 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)

SCHEDULE 9

Section 37(2)

REPEALS

PART 1

NATIONAL HEALTH SERVICE

**Commencement Information**  
I46 Sch. 9 Pt. 1 not in force at Royal Assent, see s. 42(3); specified entries in Sch. 9 Pt. 1 in force for E. and for W. (insofar as the Secretary of State is the appropriate authority) at 1.10.2002 by S.I. 2002/2478, art. 3(1)(f); further specified entry in Sch. 9 Pt. 1 in force for E. at 1.10.2002 by S.I. 2002/2478, art. 3(2)(c); further specified entries in Sch. 9 Pt. 1 in force for W. at 10.10.2002 by S.I. 2002/2532, art. 2, Sch.  
I47 Sch. 9 Pt. 1 in force at 11.7.2003 for specified purposes for E.W. by S.I. 2003/1580, art. 2(2)(c)  
I48 Sch. 9 Pt. 1 in force at 1.3.2007 for specified purposes, immediately before the National Health Service Act 2006 comes into force by S.I. 2006/1407, art. 1(1), Sch. 1 Pt. 2 para. 12 (with art. 4)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Health Services and Public Health Act 1968 (c. 46)	In section 63(5B), the “and” at the end of paragraph (bb).
National Health Service Act 1977 (c. 49)	In section 17B(1), the words from “which” to the end. Section 18(1A)(b). In section 22(1A), the “or” at the end of paragraph (c). In section 28A(1), the “and” at the end of paragraph (a). In section 29B(3), the “or” at the end of paragraph (b). In section 33(1A)(b), “for areas in Wales”.

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**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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	<p>In section 44(2), “with the approval of the Health Authority”.</p> <p>In section 51(3), the “and” at the end of paragraph (bb).</p> <p>Section 97(6)(bb) and (c) and (8).</p> <p>In section 103(3)(a), “or a Primary Care Trust”.</p> <p>In section 125, the “and” at the end of paragraph (bb).</p> <p>In section 126(4A), the “or” at the end of paragraph (b).</p> <p>In Schedule 12A, in paragraph 4(2) the “or” at the end of paragraph (a); in paragraph 5(1) the “and” at the end of paragraph (a); in paragraph 5(2) the “or” at the end of paragraph (a); and in paragraph 7(3) “or Primary Care Trust”.</p>
Acquisition of Land Act 1981 (c. 67)	<p>In section 16(3), the “and” at the end of paragraph (b).</p>
Health Service Commissioners Act 1993 (c. 46)	<p>In section 2, in subsection (1)(da), “established for areas in England”; and in subsection (2)(a), “whose areas are in Wales”.</p>
Government of Wales Act 1998 (c. 38)	<p>In Schedule 5, in paragraph 20, “for an area in, or consisting of, Wales”.</p> <p>In Schedule 17, in paragraph 12, “for an area in, or consisting of, Wales”.</p>
Health Act 1999 (c. 8)	<p>In section 6(2), in the inserted section 28EE of the 1977 Act, subsection (1).</p> <p>In section 20(1), the “and” at the end of paragraph (d).</p> <p>In section 23(6), the definition of “NHS premises”.</p> <p>In Schedule 2, in paragraph 7(2), the words after “Commission”; and paragraph 7(6) and (7).</p>
Health and Social Care Act 2001 (c. 15)	<p>In section 28(7), “or a Primary Care Trust”.</p> <p>In Schedule 3, in the new Schedule 8A inserted by that Schedule, in paragraph 1(8), “or a Primary Care Trust”.</p>
National Health Service Reform and Health Care Professions Act 2002 (c. 17)	<p>In Schedule 2, in paragraph 2, subparagraphs (3) to (5); and paragraph 55.</p>

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## PART 2

### HEALTH CARE PROFESSIONS

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*Short title and chapter*

*Extent of repeal*

**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Medical Act 1983 (c. 54)	Section 40(1)(c), (4) to (6), (9) and (10). In Schedule 4, in paragraph 3(b) “to Her Majesty in Council”; paragraph 10(2); in paragraph 10(3) “or (2)”, and “or that sub-paragraph as applied by sub-paragraph (2) above”. In Schedule 6, in paragraph 18, “section 40(4) of this Act or”.
Dentists Act 1984 (c. 24)	Section 29(2). In section 51, the words from “(other” to “appeals”.
Osteopaths Act 1993 (c. 21)	Section 10 (10). Section 31(3) to (5) and (7). Section 35(3).
Chiropractors Act 1994 (c. 17)	Section 10(10). Section 31(3) to (5) and (7). Section 35(3).

### PART 3

#### MISCELLANEOUS

##### Commencement Information

- I49** Sch. 9 Pt. 3 not in force at Royal Assent, see s. 42(3); specified entries in Sch. 9 Pt. 3 in force for E. and for W. (insofar as the Secretary of State is the appropriate authority). at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(1\)\(f\)](#); further specified entry in Sch. 9 Pt. 3 in force for E. at 1.10.2002 by [S.I. 2002/2478](#), [art. 3\(2\)\(c\)](#); further specified entries in Sch. 9 Pt. 3 in force for W. at 10.10.2002 by [S.I. 2002/2532](#), [art. 2](#), [Sch.](#); further specified entries in Sch. 9 Pt. 3 in force for E.W. at 1.1.2003 by [S.I. 2002/3190](#), [art. 2\(2\)\(d\)](#)
- I50** Sch. 9 Pt. 3 in force at 1.3.2007 for specified purposes, immediately before the National Health Service Act 2006 comes into force by [S.I. 2006/1407](#), [art. 1\(1\)](#), Sch. 1 Pt. 2 para. 12 (with [art. 4](#))

<i>Short title and chapter</i>	<i>Extent of repeal</i>
National Health Service Act 1977 (c. 49)	In section 97D(1)(b), “, apart from subsection (5A)”.
National Health Service and Community Care Act 1990 (c. 19)	In section 12(4), the words after paragraph (b).
Local Government (Wales) Act 1994 (c. 19)	In Schedule 10, paragraph 11(4).
Health Authorities Act 1995 (c. 17)	Section 1. In Schedule 1, paragraphs 32(b), 53 and 107(12)(b).
National Health Service (Primary Care) Act 1997 (c. 46)	In Schedule 2, paragraphs 71(3), 73 and 75.
Government of Wales Act 1998 (c. 38)	Section 148.
Health Act 1999 (c. 8)	In Schedule 4, paragraphs 5, 31(2) and 35.

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**Changes to legislation:** National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Health and Social Care Act 2001 (c. 15)

Section 1(4) and (5).

Section 3(3) and (4).

Section 43(5).

In Schedule 5, paragraph 5(12)(b).

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**Changes to legislation:**

National Health Service Reform and Health Care Professions Act 2002 is up to date with all changes known to be in force on or before 19 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

- s. 17(2) words substituted by [2006 c. 28 Sch. 8 para. 50\(b\)](#) (Effect not applied. The amending provision was repealed 1.3.2007 by [2006 \(c. 43\), s. 8\(2\), Sch. 4](#))
- s. 22(4) repealed by [2003 c. 4 Sch. 3 para. 16Sch. 4](#)
- s. 26(3)(a) words inserted by [2008 c. 14 Sch. 10 para. 18](#)
- s. 29(1)(c) repealed by [2008 c. 14 s. 118\(2\)\(b\)Sch. 15 Pt. 2](#)
- s. 29(1)(f) repealed by [2008 c. 14 s. 118\(2\)\(d\)Sch. 15 Pt. 2](#)
- s. 35 repealed by [2006 c. 28 Sch. 9](#)
- Sch. 1 para. 29 repealed by [2006 c. 28 Sch. 9](#)
- 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](#)

**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):

- s. 17(1)(fb) substituted for s. 17(1)(fa) by [2006 c. 28 Sch. 8 para. 50\(a\)](#) (Effect not applied. The amending provision was repealed 1.3.2007 by [2006 \(c. 43\), s. 8\(2\), Sch. 4](#))