

*These notes refer to the Health Act 2009 (c.21)  
which received Royal Assent on 12 November 2009*

# **HEALTH ACT 2009**

---

## **EXPLANATORY NOTES**

### **TERRITORIAL EXTENT: FURTHER INFORMATION**

#### ***Part 3: Miscellaneous***

##### ***Tobacco***

75. The sections relating to tobacco in Part 3 of the Act have the same extent as the enactments which the provisions amend. The 2002 Act extends to the whole of the UK, the 1991 Act extends to England and Wales and Scotland, and the 1991 (NI) Order extends to Northern Ireland only. However, the amendments made to the 2002 Act by sections 20 and 21, and those to the 1991 Act made by section 22, do not apply in relation to Scotland.

##### ***Pharmaceutical services***

76. The changes regarding pharmaceutical services in sections 25, 26, 27, 28 and 29 extend to England and Wales but apply only in England. The amendments made by sections 30, 31 and 32 extend to England and Wales but apply only in relation to Wales.

##### ***Private patient income***

77. [Section 33](#) extends to England and Wales, but the provisions apply only in relation to NHS bodies in England (NHS foundation trusts).

##### ***Optical appliances***

78. Section 180(2)(c) of the National Health Service Act 2006 repealed by section 34 applied only to England.

##### ***Adult social care***

79. The changes to the powers of the LGO in England in section 35 and Schedule 5 extend to England and Wales, but apply only in relation to England.

##### ***Disclosure of information***

80. The provisions in section 36 for disclosure of information held by HMRC extend to the whole of the UK.