

Changes to legislation: Health and Social Care Act 2012, SCHEDULE 7 is up to date with all changes known to be in force on or before 14 February 2024. 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

SCHEDULE 7

Section 56(4)

ABOLITION OF THE HEALTH PROTECTION AGENCY: CONSEQUENTIAL AMENDMENTS

Parliamentary Commissioner Act 1967 (c. 13)

- 1
- In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation)—

(a) omit the entry for the Health Protection Agency, and

(b) in the Notes, omit the paragraph on the Health Protection Agency.

Commencement Information

I1 Sch. 7 para. 1 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Superannuation Act 1972 (c. 11)

- 2
- In Schedule 1 to the Superannuation Act 1972 (kinds of employment to which a scheme under section 1 of that Act can apply), omit the entry for the Health Protection Agency.

Commencement Information

I2 Sch. 7 para. 2 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Local Government Act 1972 (c. 70)

- 3
- In section 113 of the Local Government Act 1972 (placing of staff of local authorities at disposal of other local authorities), in subsection (1A) omit “the Health Protection Agency,” in each place it occurs.

Commencement Information

I3 Sch. 7 para. 3 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

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

- 4
- The Health and Safety at Work etc. Act 1974 is amended as follows.

Commencement Information

I4 Sch. 7 para. 4 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

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- 5 In section 16 (approval of codes of practice), in subsection (2)(a) omit the words from “(and, in particular,” to the end.

Commencement Information

I5 Sch. 7 para. 5 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 6 In section 50 (exercise of certain powers to make regulations), in subsection (3)(a) omit the words from “, and, in the case of” to “the Health Protection Agency”.

Commencement Information

I6 Sch. 7 para. 6 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

House of Commons Disqualification Act 1975 (c. 24)

- 7 In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (offices disqualifying for membership of the House), omit the entry for the chairman and any non-executive member of the Health Protection Agency.

Commencement Information

I7 Sch. 7 para. 7 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 8 In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (offices disqualifying for membership of the Assembly), omit the entry for the chairman and any non-executive member of the Health Protection Agency.

Commencement Information

I8 Sch. 7 para. 8 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Employment Rights Act 1996 (c. 18)

- 9 In section 218 of the Employment Rights Act 1996 (change of employer), in subsection (10) omit paragraph (dd).

Commencement Information

I9 Sch. 7 para. 9 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Freedom of Information Act 2000 (c. 36)

- 10 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (public authorities), omit the entry for the Health Protection Agency.

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I10 Sch. 7 para. 10 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

International Development Act 2002 (c. 1)

- 11 In Schedule 1 to the International Development Act 2002 (statutory bodies who may exercise certain powers for the purpose of assisting countries outside the UK), omit the entry for the Health Protection Agency.

Commencement Information

I11 Sch. 7 para. 11 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Nationality, Immigration and Asylum Act 2002 (c. 41)

- 12 (1) Section 133(4) of the Nationality, Immigration and Asylum Act 2002 (power of medical inspector to disclose information to health service bodies) is amended as follows.
- (2) In paragraph (a)—
- (a) before sub-paragraph (i) insert—
- “(ai) the Secretary of State,”, and
- (b) omit sub-paragraph (vi) and the “or” preceding it.
- (3) In paragraph (b)—
- (a) after sub-paragraph (i) insert “or”, and
- (b) omit sub-paragraph (iv) and the “or” preceding it.
- (4) In paragraph (c)—
- (a) before sub-paragraph (i) insert—
- “(ai) the Secretary of State,”,
- (b) after sub-paragraph (iia) insert “or”, and
- (c) omit sub-paragraph (iii).
- (5) In paragraph (d)—
- (a) after sub-paragraph (ii) insert—
- “(iia) the Regional Agency for Public Health and Social Well-being established under section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009, or”, and
- (b) omit sub-paragraph (iv) and the “, or” preceding it.

Commencement Information

I12 Sch. 7 para. 12 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

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Scottish Public Services Ombudsman Act 2002 (asp 11)

13 The Scottish Public Services Ombudsman Act 2002 is amended as follows.

Commencement Information

I13 Sch. 7 para. 13 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

14 In section 7 (matters which may be investigated: restrictions), omit subsection (6A).

Commencement Information

I14 Sch. 7 para. 14 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

15 In Part 2 of Schedule 2 (persons liable to investigation), omit paragraph 90.

Commencement Information

I15 Sch. 7 para. 15 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Civil Contingencies Act 2004 (c. 36)

16 In Schedule 1 to the Civil Contingencies Act 2004, in Part 1 (list of Category 1 responders) for paragraph 9 substitute—

- “9 The Secretary of State, in so far as the functions of the Secretary of State include responding to emergencies by virtue of —
- (a) the Secretary of State's functions under section 2A of the National Health Service Act 2006,
 - (b) the Secretary of State's functions under section 58 of the Health and Social Care Act 2012 in so far as it applies in relation to Wales or Scotland, or
 - (c) arrangements made by the Welsh Ministers or Scottish Ministers under which the Secretary of State exercises on their behalf functions in relation to protecting the public in Wales or Scotland from disease or other dangers to health.”

Commencement Information

I16 Sch. 7 para. 16 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

National Health Service Act 2006 (c. 41)

17 The National Health Service Act 2006 is amended as follows.

Commencement Information

I17 Sch. 7 para. 17 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

18 In section 9 (NHS contracts), in subsection (4) omit paragraph (j).

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Commencement Information

I18 Sch. 7 para. 18 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 19 In section 71 (schemes for meeting losses and liabilities of certain health bodies)—
- (a) in subsection (2) omit paragraph (g), and
 - (b) in subsection (5) for “, (f) and (g)” substitute “and (f)”.

Commencement Information

I19 Sch. 7 para. 19 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

National Health Service (Wales) Act 2006 (c. 42)

- 20 The National Health Service (Wales) Act 2006 is amended as follows.

Commencement Information

I20 Sch. 7 para. 20 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 21 In section 7 (NHS contracts), in subsection (4) omit paragraph (j).

Commencement Information

I21 Sch. 7 para. 21 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 22 In section 30 (schemes for meeting losses and liabilities of certain health bodies), in subsection (2)—
- (a) after paragraph (b) insert “and”, and
 - (b) omit paragraph (e) and the preceding “and”.

Commencement Information

I22 Sch. 7 para. 22 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

National Health Service (Consequential Provisions) Act 2006 (c. 43)

- 23 In Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (consequential amendments), omit paragraphs 257 to 259 (and the cross-heading preceding them).

Commencement Information

I23 Sch. 7 para. 23 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

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Health and Social Care Act 2008 (c. 14)

- 24 In section 159 (functions of Health Protection Agency in relation to biological substances), omit subsections (2) to (6).

Commencement Information

I24 Sch. 7 para. 24 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

Health and Personal Social Services (Northern Ireland) Order 1991 (No. 194 (N.I. 1))

- 25 In article 8 of the Health and Personal Social Services (Northern Ireland) Order 1991 (health and social services contracts), in paragraph (2)(g) omit paragraph (vi).

Commencement Information

I25 Sch. 7 para. 25 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

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. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)