
STATUTORY INSTRUMENTS

2001 No. 745

NATIONAL HEALTH SERVICE, ENGLAND

**The Primary Care Trusts (Functions)
(England) Amendment Regulations 2001**

<i>Made</i>	- - - -	<i>8th March 2001</i>
<i>Laid before Parliament</i>		<i>9th March 2001</i>
<i>Coming into force</i>	- -	<i>1st April 2001</i>

The Secretary of State for Health, in exercise of powers conferred on him by sections 17, 17A(4), 18(1) and 126(3) and (4) of the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Primary Care Trusts (Functions) (England) Amendment Regulations 2001 and shall come into force on 1st April 2001.

(2) These Regulations apply in relation to Health Authorities and Primary Care Trusts established for areas in England only.

(3) In these Regulations, “the principal Regulations” means the Primary Care Trusts (Functions) (England) Regulations 2000(2).

Amendment of regulation 2 of the principal Regulations

2.—(1) Regulation 2 of the principal Regulations (interpretation) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph (1)—

(a) after the definition of “delegable functions” insert the following definition—

““financial year” means the period of 12 months ending with 31st March”;

(1) 1977 c. 49; section 17 was substituted, and section 17A inserted, by the Health Act 1999 (c. 8) (“the 1999 Act”), section 12(1); section 18(1) and (1A) was substituted by the 1999 Act, section 12(3); section 126(4) was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(2) and by the 1999 Act, Schedule 4, paragraph 37(6); see section 128(1), as amended by section 26(2)(i) and (g) of the 1990 Act for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of, and the entry for the 1977 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(2) S.I. 2000/695.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) for the definition of “the Functions Regulations” substitute the following definition—
 - ““the Functions Regulations” means the National Health Service (Functions of Health Authorities and Administration Arrangements) (England) Regulations 2001(3)
- (c) at the end of the definition of “practice patient” insert—
 - “other than an individual who is resident in Scotland”;
- (d) in the definition of “relevant date”, in paragraph (b), before “year”, in both places the word appears, insert “financial”.

Amendment of regulation 6 of the principal Regulations

3. In regulation 6 of the principal Regulations (restriction on the exercise of functions by Primary Care Trusts), in paragraph (3), after “general medical services” insert “, or performing personal medical services in connection with a pilot scheme under the 1997 Act(4),”.

Signed by authority of the Secretary of State for Health

8th March 2001

John Denham
Minister of State,
Department of Health

(3) [S.I. 2001/747](#).

(4) See section 1 of the National Health Service (Primary Care) Act 1997 (c. 46) for the definition of “pilot scheme”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Primary Care Trusts (Functions) (England) Regulations (“the principal Regulations”), which make provision for functions of Health Authorities to be exercised by Primary Care Trusts and for certain restrictions on the exercise of those functions by Primary Care Trusts. The Regulations apply to Health Authorities and Primary Care Trusts in England.

Regulation 2 amends regulation 2 of the principal Regulations (interpretation). Paragraph (2) makes a number of minor or drafting amendments to the definitions in regulation 2(1). In particular, to clarify that the “relevant date” for the purposes of identifying the “relevant Health Authority” is to be determined by reference to financial years, and that the “practice patients” for which a Primary Care Trust may be responsible by virtue of regulation 3(1)(a) do not include patients resident in Scotland. It also makes an amendment consequential on the National Health Service (Functions of Health Authorities and Administration Arrangements) (England) Regulations 2001.

Regulation 3 amends regulation 6 of the principal Regulations, so that where a Primary Care Trust makes arrangements with medical practitioners for the vaccination and immunisation of persons against disease, medical practitioners performing personal medical services in connection with a pilot scheme under the National Health Service (Primary Care) Act 1997 in the trust’s area must be given an opportunity to participate in the arrangements.