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STATUTORY INSTRUMENTS

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**2005 No. 1622**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Health and Social Care (Community Health  
and Standards) Act 2003 (Public Health Laboratory  
Service Board) (Consequential Provisions) Order 2005**

<i>Made</i>	- - - -	<i>13th June 2005</i>
<i>Laid before Parliament</i>		<i>17th June 2005</i>
<i>Coming into force</i>	- -	<i>15th July 2005</i>

The Secretary of State for Health in exercise of the powers conferred upon her by section 201(1) of the Health and Social Care (Community Health and Standards) Act 2003(1) and of all other powers enabling her in that behalf, hereby makes the following Order:—

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Health and Social Care (Community Health and Standards) Act 2003 (Public Health Laboratory Service Board) (Consequential Provisions) Order 2005 and shall come into force on 15th July 2005.

(2) In this Order—

“the Act” means the Health and Social Care (Community Health and Standards) Act 2003;

“the PHLS” means the Public Health Laboratory Service Board(2).

**PHLS – Accounts**

2.—(1) The Secretary of State must prepare the annual accounts of the PHLS in respect of the year beginning on 1st April 2004 and ending on 31st March 2005 in such form as she, with the approval of the Treasury, may determine.

(2) The Secretary of State must send copies of those annual accounts on or before 31st October 2005 to the Comptroller and Auditor General.

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(1) 2003 c. 43. Section 201(2) defines the “appropriate authority”.

(2) The Board was abolished by section 190 of the Act on 1st April 2005 (See the Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 6) Order 2005, S.I. 2005/457 (C.22).

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(3) The Comptroller and Auditor General must examine, certify and report on those annual accounts and lay copies of those accounts and of his report before each House of Parliament.

**PHLS – revocations**

3. The enactments mentioned in the Schedule are revoked to the extent specified.

## SCHEDULE

Article 3

**Enactments revoked in consequence of the coming into force of section 190(1)  
of the Act (abolition of the Public Health Laboratory Service Board)**

<i>Reference</i>	<i>Extent of revocation</i>
Family Health Services Authorities (Membership and Procedure) Regulations 1990 (S.I. <a href="#">1990/1330</a> )	In regulation 1(2) in the definition of “health service body”, sub-paragraph (e).
Regional and District Health Authorities (Membership and Procedure) Regulations 1990 (S.I. <a href="#">1990/1331</a> )	In Part 1 in regulation 1(2) in the definition of “health service body”, sub-paragraph (e).
National Health Service Trusts (Membership and Procedure) Regulations 1990 (S.I. <a href="#">1990/2024</a> )	In Part 1 in regulation 1(2) in the definition of “health service body”, sub-paragraph (f).
Redundancy Payments (National Health Service) (Modification) Order 1993 (S.I. <a href="#">1993/3167</a> )	In Schedule 1, paragraph 5.
Health Authorities (Membership and Procedure) Regulations 1996 (S.I. <a href="#">1996/707</a> )	In Part 1 in regulation 1(2) in the definition of “health service body”, sub-paragraph (d).
Employment Protection (Continuity of Employment of National Health Service Employees) (Modification) Order 1996 (S.I. <a href="#">1996/1023</a> )	In regulation 1(2)(b), sub-paragraph (ix).
National Institute for Clinical Excellence Regulations 1996 (S.I. <a href="#">1999/260</a> )	In regulation 1(2) in the definition of “health service body”, sub-paragraph (f).
Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000 (S.I. <a href="#">2000/89</a> )	In regulation 1(2) in the definition of “health service body”, sub-paragraph (d).
Immigration and Asylum Act 1999 (Part V Exemption: Educational Institutions and Health Sector Bodies) Order 2001 (S.I. <a href="#">2001/1403</a> )	In Schedule 3, paragraph 1(e).
Health Service (Control of Patient Information) Regulations 2002 (S.I. <a href="#">2002/1438</a> )	In regulation 1(2), the definition of “public health laboratory service”, and regulation 3(3)(a).
Commission for Patient and Public Involvement in Health (Membership and Procedure) Regulations 2002 (S.I. <a href="#">2002/3038</a> )	Regulation 5(4)(e).
NHS Professionals Special Health Authority Regulations 2003 (S.I. <a href="#">2003/3060</a> )	In regulation 1(3) in the definition of “health service body”, sub-paragraph (e).
Commission for Social Care Inspection (Membership) Regulations 2003 (S.I. <a href="#">2003/3190</a> )	In regulation 1(3) in the definition of “health service body”, sub-paragraph (c).
Commission for Healthcare Audit and Inspection (Membership) Regulations 2003 (S.I. <a href="#">2003/3279</a> )	In regulation 1(2) in the definition of “health service body”, sub-paragraph (c).

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<i>Reference</i>	<i>Extent of revocation</i>
NHS Direct Regulations 2004 (S.I. <a href="#">2004/570</a> )	In regulation 1(3) in the definition of “health service body”, sub-paragraph (f).
The NHS Pensions Agency (Asiantaeth Pensiynau'r GIG) Regulations 2004 (S.I. <a href="#">2004/668</a> )	In regulation 1(2) in the definition of “health service body”, sub-paragraph (f).
The Health Protection Agency Regulations 2005 (S.I. <a href="#">2005/408</a> )	In regulation 1(3) in the definition of “health service body”, sub-paragraph (m).
Health and Social Care Information Centre Regulations 2005 (S.I. <a href="#">2005/500</a> )	In regulation 1 in the definition of “health service body”, sub-paragraph (f).

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes consequential provision in connection with the coming into force of section 190 of the Health and Social Care (Community Health and Standards) Act 2003 (“the Act”)(**3**).

Section 190 of the Act is concerned with the abolition of the Public Health Laboratory Service Board (“the PHLS”). The PHLS was continued in being under section 5(4) of the National Health Service Act 1977(**4**). Article 2 provides for the Secretary of State to prepare the annual accounts of the PHLS for the financial year 2004 – 2005, and for the Comptroller and Auditor General to examine, certify and report on those accounts, and to lay copies of those accounts and his report before each House of Parliament.

Article 3 and the Schedule revoke references to the PHLS in other legislation.

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(**3**) See the Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 6) Order 2005, S.I. [2005/457](#) (C.22).

(**4**) *c.* 49.