
STATUTORY INSTRUMENTS

2012 No. 1424

NATIONAL HEALTH SERVICE, ENGLAND

**The National Patient Safety Agency (Establishment
and Constitution) (Amendment) Order 2012**

<i>Made</i>	- - - -	<i>29th May 2012</i>
<i>Laid before Parliament</i>		<i>7th June 2012</i>
<i>Coming into force</i>	- -	<i>9th July 2012</i>

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 28(1), (2) and (4), 272(7) and (8) and 273(1) of the National Health Service Act 2006⁽¹⁾:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the National Patient Safety Agency (Establishment and Constitution) (Amendment) Order 2012.

(2) This Order comes into force on 9th July 2012.

(3) In this Order, “the Order” means the National Patient Safety Agency (Establishment and Constitution) Order 2001⁽²⁾.

Amendment of articles 1 and 3 to 9 of the Order

2.—(1) The following amendments are made to the Order.

(2) In article 1 (citation, commencement, extent and interpretation), in paragraph (3), omit the definitions of “the Directions”, “the Institute” and “the St George’s Healthcare National Health Service Trust Schedule”.

(3) In article 3 (functions of the Agency), for paragraphs (a) to (d) substitute—

“(a) such functions in connection with the abolition of the Agency, including the management of its affairs prior to abolition, and

(b) such other functions,”⁽³⁾.

(1) 2006 c. 41. The powers exercised in making this Order are exercisable by the Secretary of State only in relation to England, by virtue of section 271(1) of the National Health Service Act 2006.

(2) S.I. 2001/1743, as amended by S.I. 2003/1077, S.I. 2005/504 and S.I. 2012/476.

(3) “The Agency” is defined in article 1(3) of the National Patient Safety Agency (Establishment and Constitution) Order, S.I. 2001/1743, and is to be abolished by section 281 of the Health and Social Care Act 2012 (c. 7) on a date to be appointed by the Secretary of State by order under section 306 of that Act.

(4) For article 4 (constitution of the Agency) substitute—

“Constitution of the Agency

4. The Agency is to consist of at least two and not more than three members, at least one of whom must be a person who is not an officer of the Agency.”.

(5) Omit articles 5 (remuneration of members) to 9 (enforceability of rights and transfer of liabilities).

29th May 2012

Andrew Lansley
Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order changes the constitution and functions of the National Patient Safety Agency (“the Agency”) established by article 2 (establishment of the Agency) of the National Patient Safety Agency (Establishment and Constitution) Order 2001, [S.I. 2001/1743](#) (“the Order”).

Article 2(2) removes redundant definitions from article 1 of the Order (citation, commencement, extent and interpretation).

Article 2(3) removes existing functions of the Agency from article 3 of the Order (functions of the Agency) and provides that its functions are to be functions in connection with the abolition of the Agency.

Article 2(4) makes new provision for the constitution of the Agency in article 4 of the Order (constitution of the Agency).

The remaining articles of the Order, other than article 2 (establishment of the Agency), are omitted by article 2(5).

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.