

2021 No. 974

PUBLIC HEALTH

**The Public Health England (Dissolution) (Consequential
Amendments) Regulations 2021**

Made - - - - *1st September 2021*

Laid before Parliament *3rd September 2021*

Coming into force *1st October 2021*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 45A of the Medical Act 1983(a), sections 45B, 45C(1), (2) and (3), 45F(2)(a) and 45P(2) of the Public Health (Control of Disease) Act 1984(b), and sections 88 and 272(7) and (8) of, paragraph 7B(1) of Schedule 1, paragraph 25 of Schedule 4 and paragraphs 3 and 5 of Schedule 6 to, the National Health Service Act 2006(c).

In accordance with section 45Q(3) of the Public Health (Control of Disease) Act 1984, the Secretary of State is of the opinion that these Regulations do not contain any provision made by virtue of section 45C(3)(c) of that Act which imposes or enables the imposition of a special restriction or requirement or any other restriction or requirement which has or would have a significant effect on a person's rights.

The Secretary of State has consulted the Scottish Ministers in accordance with section 45E(2) of the Medical Act 1983.

The Secretary of State has consulted such bodies recognised by the Secretary of State as representing persons likely to be affected by these Regulations in accordance with paragraph 25(4) of Schedule 4, and paragraph 4(1) of Schedule 6, to the National Health Service Act 2006.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Public Health England (Dissolution) (Consequential Amendments) Regulations 2021 and come into force on 1st October 2021.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

(a) 1983 c. 54. Sections 45A and 45E were inserted by section 119 of the Health and Social Care Act 2008 (c. 14).
(b) 1984 c. 22. Sections 45B, 45C, 45F, 45P and 45Q were inserted by section 129 of the Health and Social Care Act 2008 (c. 14).
(c) 2006 c. 41. Paragraph 7B of Schedule 1 was inserted by section 143 of the Health and Social Care Act 2008 (c. 14).

Amendments to the National Health Service (Appointment of Consultants) Regulations 1996

2.—(1) The National Health Service (Appointment of Consultants) Regulations 1996(a) are amended as follows.

(2) In regulation 5(1)(g) (exempt appointments)—

- (a) for the words “or at Public Health England, an executive agency of the Department of Health,”, substitute “or at the Department of Health and Social Care, or the United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care,”; and
- (b) for the words “or agency”, substitute “, agency or for the Department of Health and Social Care”.

Amendments to the National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) Regulations 2004

3.—(1) The National Health Service (General Medical Services Contracts) (Prescription of Drugs etc.) Regulations 2004(b) are amended as follows.

(2) In Schedule 2 (drugs, medicines and other substances that may be ordered only in certain circumstances)—

- (a) in the entry for “Oseltamivir (Tamiflu)”, which is referred to in column 1, in the corresponding entry in column 2, in each of paragraphs (1A) and (2A), for “Public Health England”, substitute “the United Kingdom Health Security Agency”; and
- (b) in the entry for “Zanamivir (Relenza)”, which is referred to in column 1, in the corresponding entry in column 2, in paragraph (2), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

Amendments to the Health Protection (Part 2A Orders) Regulations 2010

4.—(1) The Health Protection (Part 2A Orders) Regulations 2010(c) are amended as follows.

(2) In regulation 10 (duty on local authorities to report Part 2A applications to Public Health England)—

- (a) in the heading, for “Public Health England”, substitute “the United Kingdom Health Security Agency”; and
- (b) in paragraph (1), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(3) In regulation 11 (duty on local authorities to report variations or revocations of Part 2A Orders to Public Health England)—

- (a) in the heading, for “Public Health England”, substitute “the United Kingdom Health Security Agency”; and
- (b) in paragraph (1), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

Amendments to the Health Protection (Notification) Regulations 2010

5.—(1) The Health Protection (Notification) Regulations 2010(d) are amended as follows.

(2) In regulation 1(3) (citation, commencement and application), for both references to “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(a) S.I. 1996/701, amended by S.I. 2004/3365 and 2013/235; there are other amending instruments but none is relevant.

(b) S.I. 2004/629, amended by S.I. 2013/363; there are other amending instruments but none is relevant.

(c) S.I. 2010/658, amended by S.I. 2013/235 and 2018/378.

(d) S.I. 2010/659, amended by S.I. 2013/235, 2018/378, 2020/674, 1175, S.I. 2021/150 and 582; there are other amending instruments but none is relevant.

(3) In the heading to, and paragraphs (1), (1A) and (6) of, regulation 4 (duty on the operators of diagnostic laboratories to notify Public Health England of causative agents found in human samples and of SARS-Cov-2 or influenza virus tests processed), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(4) In the heading to regulation 4ZA (duty to notify Public Health England of the results of mandatory tests under the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(5) In the heading to, and paragraphs (3) and (7) of, regulation 4A (duty on test providers to notify results of tests for the detection of SARS-CoV-2 or Influenza virus to Public Health England), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(6) In the heading to, and paragraphs (1), (2), (5) and (6) of, regulation 5 (duty to provide information to Public Health England), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(7) In regulation 6(2)(a) (duty on the relevant local authority to disclose notification to others), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

Amendment to the Medical Profession (Responsible Officers) Regulations 2010

6.—(1) The Medical Profession (Responsible Officers) Regulations 2010(a) are amended as follows.

(2) In regulation 10(1)(ba) (connection between designated bodies and medical practitioners), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

Amendment to the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

7.—(1) The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013(b) are amended as follows.

(2) In regulation 16(a) (onward processing of information by the Information Centre), omit the words “, including Public Health England, an executive agency of the Department of Health”.

Amendments to the Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021

8.—(1) The Health Protection (Coronavirus, International Travel and Operator Liability) (England) Regulations 2021(c) are amended as follows.

(2) In each of paragraphs 7(1)(l) and 11(4) of Schedule 8 (mandatory testing after arrival in England), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

(3) In paragraph 5(5) of Schedule 10 (optional testing after arrival in England), for “Public Health England”, substitute “the United Kingdom Health Security Agency”.

Signed by authority of the Secretary of State for Health and Social Care.

1st September 2021

Helen Whately
Minister of State,
Department of Health and Social Care

(a) S.I. 2010/2841, amended by S.I. 2013/391 and 2019/248; there are other amending instruments but none is relevant.

(b) S.I. 2013/218, amended by S.I. 2018/378; there are other amending instruments but none is relevant.

(c) S.I. 2021/582. There are amendments to these regulations but none are relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to regulations in consequence of the dissolution of Public Health England, an executive agency of the Department for Health and Social Care, and the establishment of the United Kingdom Health Security Agency, also an executive agency of the Department for Health and Social Care.

A regulatory impact assessment has not been prepared for these Regulations as no impact on the private or voluntary sectors is foreseen.

An explanatory memorandum has been prepared and is available alongside this instrument on the website, www.legislation.gov.uk.

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