

SCHEDULE 1

Amendments of health service legislation

PART 2

Amendments to other legislation relating to the health service

1. The Ministry of Health Act 1919 is repealed.
2. Omit section 3 of the National Health Service and Community Care Act 1990 (primary and other functions of health authorities etc and exercise of functions).
3. Sections 21(1) and (3) and 22(1) of, and paragraphs 3 to 5, 15, 22, 23, 28, 31 and 65(2) of Schedule 2 to, the National Health Service (Primary Care) Act 1997, come into force to the extent that they are not already in force.
4. In section 40(2) of that Act omit the words “except in Schedule 1” in the definition of “authority”.
5. In section 28(10) of the Health Act 1999 (plans for improving health care) for the definition of “health care” substitute—
 - ““health care” means—
 - (a) services provided to individuals for or in connection with the prevention, diagnosis or treatment of illness; and
 - (b) the promotion and protection of public health.”.
6. The following provisions of that Act come into force to the extent that they are not already in force—
 - (a) sections 4, 29, 30 and 31,
 - (b) paragraphs 7 to 14, 16, 23, 25, 27 to 31, 36 to 38, 77 to 79 and 81 of Schedule 4,
 - (c) in Schedule 5, the repeals relating to the Health Authorities Act 1995, apart from the repeal relating to paragraph 77 of Schedule 1 to that Act.
7. In section 41 of the Health and Social Care Act 2001 (corresponding provision and application of enactments) after subsection (2) insert—
 - “(2A) The provision which may be made under this section includes provision amending, repealing or revoking enactments.”.
8. The following provisions of that Act come into force to the extent that they are not already in force—
 - (a) sections 4, 6(1), 7 to 10, 20(7), 23(4) and (5) and 45 to 47,
 - (b) paragraph 5(3), (11), (12)(a), (14) and (17) of Schedule 5,
 - (c) the repeals in Part 1 of Schedule 6 relating to the National Health Service Act 1977, the National Health Service and Community Care Act 1990, the Health Authorities Act 1995, the National Health Service (Primary Care) Act 1997 and the Health Act 1999.
9. In section 38(11) of the National Health Service Reform and Health Care Professions Act 2002 (regulations and orders) omit “by instruments in writing”.
10. In Schedule 3 to that Act (amendments relating to personal medical and personal dental services) omit paragraph 9.

Status: This is the original version (as it was originally made).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

11. In Schedule 6 to that Act (the Commission for Patient and Public Involvement in Health) omit paragraph 11(3).

12. The following provisions of that Act come into force to the extent that they are not already in force—

- (a) sections 21 and 23,
- (b) paragraph 17 of Schedule 2,
- (c) Schedule 5,
- (d) in Part 1 of Schedule 9, the repeals relating to the National Health Service Act 1977 and the National Health Service Reform and Health Care Professions Act 2002, except the repeal relating to paragraph 55 of Schedule 2 to the National Health Service Reform and Health Care Professions Act 2002, and
- (e) in Part 3 of Schedule 9, the repeals relating to the National Health Service (Primary Care) Act 1997.

13. The following provisions of the Health and Social Care (Community Health and Standards) Act 2003 (primary dental and medical services) come into force to the extent that they are not already in force—

- (a) sections 177 and 178,
- (b) paragraphs 11, 14, 15, 17, 18 to 20, 21(5), 22(3)(b), 24(b), 28 to 31, 36(b), 45, 67(b), 68 and 72 of Schedule 11,
- (c) in Part 4 of Schedule 14—
 - (i) the repeals relating to the National Health Service (Primary Care) Act 1997, so far as relating to Part 1, section 40(1) and (3), Schedule 1, and paragraphs 6, 8 to 12, 16 to 19, 24, 25 and 71 to 73 of Schedule 2,
 - (ii) the repeals relating to the National Health Service Act 1977,
 - (iii) the repeals relating to the National Health Service Reform and Health Care Professions Act 2002.

14. In section 195(2) of that Act (orders and regulations) after “this Act” insert “or a power to make an order conferred by Part 1”.

15. In section 41(3) of the Health Act 2006 (insertion of new paragraph 2B into Schedule 12 to the 1977 Act)—

- (a) in paragraph 2B(3) as inserted, for “an authority established under this Act” substitute “relevant body”,
- (b) in paragraph 2B(7) as inserted, for “any authority established under this Act” substitute “any relevant body”,
- (c) after paragraph 2B(8) as inserted, insert—
 - “(9) “Relevant body“ means a Strategic Health Authority, a Primary Care Trust or a Special Health Authority.”.