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STATUTORY INSTRUMENTS

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**2009 No. 270 (C. 12)**

**PUBLIC HEALTH**

**The Health and Social Care Act 2008  
(Commencement No.8) Order 2009**

*Made - - - - 11th February 2009*

The Secretary of State for Health, in exercise of the powers conferred by section 170(3) and (4) of the Health and Social Care Act 2008<sup>(1)</sup> makes the following Order.

In accordance with section 172(5)(a) of that Act, the Secretary of State has consulted with the Department of Health, Social Services and Public Safety in Northern Ireland.

**Citation and interpretation**

1.—(1) This Order may be cited as the Health and Social Care Act 2008 (Commencement No.8) Order 2009.

(2) In this Order “the Act” means the Health and Social Care Act 2008.

**Appointed day in respect of provisions relating to the Health Protection Agency Act 2004**

2.—(1) 1st March 2009 is the appointed day for the coming into force of paragraph (a) of subsection (5) of section 159 of the Act.

(2) 1st April 2009 is the appointed day for the coming into force of the following provisions of the Act —

- (a) section 159 in so far as it is not already in force; and
- (b) Part 7 of Schedule 15 (abolition of National Biological Standards Board) and in so far as it relates to that Part, section 166 (repeals) of the Act.

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Signed by authority of the Secretary of State for Health.

11th February 2009

*Dawn Primarolo*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

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

Article 2(1) of this Order brings into force on 1st March 2009 paragraph (a) of subsection (5) of section 159 of the Health and Social Care Act 2008 which will enable the Secretary of State to make a scheme for the transfer of property from the National Biological Standards Board to the Health Protection Agency.

Article 2(2) of this Order brings into force section 159 in so far as it is not already in force and related consequential repeals. Section 159, in particular, abolishes the National Biological Standards Board and amends the Health Protection Agency Act 2004<sup>(2)</sup> in relation to the functions of the Health Protection Agency in relation to biological substances.

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

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Health and Social Care Act 2008 have been or are being brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 1(1)	1st October 2008	2008/2497 (C. 106)
Section 1(3) (partially)	1st October 2008	2008/2497 (C. 106)
Section 2(1)	1st October 2008	2008/2497 (C. 106)
Section 2(2)(a) (partially)	12th January 2009	2008/3168 (C.143)
Sections 3 to 7	1st October 2008	2008/2497 (C. 106)
Section 8 (partially)	12th January 2009	2008/3168 (C.143)
Section 9	1st October 2008	2008/2497 (C. 106)
Section 10(3) (partially)	12th January 2009	2008/3168 (C.143)
Section 11 (partially)	12th January 2009	2008/3168 (C.143)
Section 12(1) to (5) (partially)	12th January 2009	2008/3168 (C.143)
Section 20 to 22 (partially)	12th January 2009	2008/3168 (C.143)
Section 25 (partially)	12th January 2009	2008/3168 (C.143)
Section 26(1), (3) and (6) (partially)	12th January 2009	2008/3168 (C.143)
Section 27 (partially)	12th January 2009	2008/3168 (C.143)
Section 28(1) to (4)(a) (partially)	12th January 2009	2008/3168 (C.143)

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(2) 2004 c. 17.

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 32 (partially)	12th January 2009	2008/3168 (C.143)
Section 35 (partially)	12th January 2009	2008/3168 (C.143)
Section 37 (partially)	12th January 2009	2008/3168 (C.143)
Section 44 (partially)	12th January 2009	2008/3168 (C.143)
Section 46(4) to (8)	1st October 2008	2008/2497 (C. 106)
Section 47	1st October 2008	2008/2497 (C. 106)
Sections 60 to 65 (partially)	12th January 2009	2008/3168 (C.143)
Section 66 (partially)	1st October 2008	2008/2497 (C. 106)
Sections 76 to 83	1st October 2008	2008/2497 (C. 106)
Section 85	1st October 2008	2008/2497 (C. 106)
Section 88	1st October 2008	2008/2497 (C. 106)
Sections 90 to 94 (partially)	12th January 2009	2008/3168 (C.143)
Section 95 (partially)	1st October 2008	2008/2497 (C. 106)
Section 97	1st October 2008	2008/2497 (C. 106)
Section 111 (partially)	1st October 2008	2008/2497 (C. 106)
(partially)	1st January 2009	106)2008/3244 (C.148)
Section 112 (partially)	3rd November 2008	2008/2717 (C.120)
Section 113	1st January 2009	2008/3244 (C.148)
Section 114 insofar as not already in force	1st January 2009	2008/3244 (C.148)
Sections 115 to 117	1st January 2009	2008/3244 (C.148)
Section 118 (partially)	1st January 2009	2008/3244 (C.148)
Section 123(3) to (6)	1st October 2008	2008/2497 (C. 106)
Section 127 (partially)	25th August 2008	2008/2214 (C. 100)
(partially)	1st January 2009	100)2008/3244 (C.148)
Sections 131 to 138	1st January 2009	2008/3137 (C.136)
Section 142	1st October 2008	2008/2497 (C. 106)
Section 143	1st October 2008	2008/2497 (C. 106)
Section 145 (partially)	1st December 2008	2008/2994 (C. 129)
Sections 149 to 154	1st April 2009	2008/2994 (C. 129)
Section 155	1st December 2008	2008/2994 (C. 129)
Section 156 (partially)	1st December 2008	2008/2994 (C. 129)
Section 156 insofar as not already in force	1st April 2009	2008/2994 (C. 129)
Section 157(1) (partially)	1st October 2008	2008/2497 (C. 106)
Section 157 insofar as not already in force	1st January 2009	2008/2497 (C. 106)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 158	1st January 2009	2008/2497 (C. 106)
Section 160 (partially)	1st October 2008	2008/2497 (C. 106)
Section 160 (partially)	1st January 2009	2008/2497 (C. 106)
Section 166 (partially)	1st January 2009	2008/2497 (C. 106) and 2008/3244 (C.148)
Paragraphs 1 to 5 of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 6(3) of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 6(4) of Schedule 1 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 6(6) to 6(8) of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 7 of Schedule 1 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraphs 8 to 12 of Schedule 1	1st October 2008	2008/2497 (C. 106)
Schedule 2	1st October 2008	2008/2497 (C. 106)
Paragraph 1 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 3 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 5 of Schedule 4 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraphs 7 and 8 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 54(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 56(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 57(1) of Schedule 5 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 57(2)(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 58(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 59(1) of Schedule 5 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 59(2)(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 73(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 80(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 94 of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraphs 1 and 2 of Schedule 8	1st January 2009	2008/3244 (C.148)
Paragraph 3 of Schedule 8 (partially)	1st October 2008 and 1st January 2009	2008/2497 (C. 106) and 2008/3244 (C.148)
Paragraph 4 of Schedule 8	1st January 2009	2008/3244 (C.148)
Paragraph 5(1) to (3) of Schedule 8	1st January 2009	2008/3244 (C.148)
Paragraph 5(4) of Schedule 8	1st October 2008	2008/2497 (C. 106)
Paragraphs 6 and 7 of Schedule 8	1st January 2009	2008/3244 (C.148)
Paragraph 8(a) of Schedule 8	1st October 2008	2008/2497 (C. 106)
Paragraph 8(b) of Schedule 8	1st January 2009	2008/3244 (C.148)

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Paragraph 9 of Schedule 8	1st January 2009	2008/3244 (C.148)
Paragraph 1 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 2(a) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 3 of Schedule 10 (partially)	1st January 2009	2008/3244 (C.148)
Paragraph 4(a) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 5(a) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 6(b) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 8 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraphs 10 to 12 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 13(a) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 16 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 17 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 19 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 20 of Schedule 10	25th August 2008	2008/2214 (C. 100)
Paragraphs 23 to 25 of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 26(a) of Schedule 10	1st January 2009	2008/3244 (C.148)
Paragraph 21 of Schedule 10 (partially)	25th August 2008	2008/2214 (C. 100)
Paragraphs 2 to 4 of Schedule 14	1st October 2008	2008/2497 (C. 106)
Paragraph 5 of Schedule 14	1st January 2009	2008/2497 (C. 106)
Part 2 of Schedule 15 (partially)	1st January 2009	2008/3244 (C.148)
Part 6 of Schedule 15	1st January 2009	2008/2497 (C. 106)