

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Consequential amendments and revocations

PART 1

Instruments amended

The Public Trustee Rules 1912

1. In rule 30(1)(e)(i) of the Public Trustee Rules 1912 ^{M1} (corporate bodies as custodian trustees), omit “Strategic Health Authority,”.

Marginal Citations

M1 [S.I. 1912/348](#). Relevant amending instruments are [S.I. 1975/1189](#), [S.I. 1984/109](#) and [S.I. 2002/2469](#).

The Health and Personal Social Services (Northern Ireland) Order 1972

2. In article 15C(2) of the Health and Personal Social Services (Northern Ireland) Order 1972 ^{M2} (persons with whom agreements may be made), in the definition of “HSS employee”, in paragraph (b), omit “a Primary Care Trust in England,”.

Marginal Citations

M2 [S.I. 1972/1265](#). Relevant amending instruments are [S.I. 1977/1177](#) and [S.I. 2004/311](#)

The National Health Service (Venereal Diseases) Regulations 1974

3.—(1) In regulation 2 of the National Health Service (Venereal Diseases) Regulations 1974 ^{M3} (confidentiality of information)—

- (a) for “Strategic Health Authority, NHS Trust,” substitute “NHS Trust or”,
- (b) omit “and Primary Care Trust”, and
- (c) omit “Authority or”.

(2) This paragraph applies in relation to England only.

Marginal Citations

M3 [S.I. 1974/29](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2004/696](#).

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The National Health Service (Family Practitioner Committees—Supply of Goods) Regulations 1974

4.—(1) The National Health Service (Family Practitioner Committees—Supply of Goods) Regulations 1974 ^{M4} are amended as follows.

(2) In regulation 2, for “the said section 11(2)” substitute “ section 80(5) of the National Health Service Act 2006 or section 38(5) of the National Health Service (Wales) Act 2006 ”.

(3) In regulation 3, omit “or Primary Care Trust”.

Marginal Citations

M4 [S.I. 1974/191](#), as amended by [S.I. 2002/2469](#).

The National Health Service (Speech Therapists) Regulations 1974

5. In regulation 4 of the National Health Service (Speech Therapists) Regulations 1974 ^{M5} (authorities to which regulation 3 applies), omit paragraph (b).

Marginal Citations

M5 [S.I. 1974/495](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Social Security (Medical Evidence) Regulations 1976

6.—(1) The Social Security (Medical Evidence) Regulations 1976 ^{M6} are amended as follows.

(2) In regulation 1(2) (interpretation), omit the definition of “Primary Care Trust”.

(3) In Part 2 of Schedule 2 (form of certificate), for the words from “if the form” to “(or, in Scotland,” substitute “ (unless the form has been stamped, in Wales, by the Local Health Board in whose medical performers list you are included or, in Scotland, ”.

Marginal Citations

M6 [S.I. 1976/615](#). Relevant amending instruments are [S.I. 1991/2284](#), [S.I. 2002/2469](#), [S.I. 2004/865](#) and [S.I. 2004/1016](#).

The Health and Safety at Work (Northern Ireland) Order 1978

7.—(1) The Health and Safety at Work (Northern Ireland) Order 1978 ^{M7} is amended as follows.

(2) In article 18(2)(a) (approval of codes of practice by the Executive), omit “and the Health Protection Agency”.

(3) In article 46(3)(a) (regulations under the relevant statutory provisions), omit “and the Health Protection Agency”.

Marginal Citations

M7 [S.I. 1978/1039](#). The relevant amending provision is paragraph 10 of Schedule 3 to the [Health Protection Agency Act 2004 \(2004 c. 17\)](#).

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The National Health Service (Transfer of Officers) (No. 2) Regulations 1986

8. In regulation 1(2) of the National Health Service (Transfer of Officers) (No. 2) Regulations 1986 ^{M8} (interpretation), in the definition of “Authority”, omit “Strategic Health Authority or”.

Marginal Citations

M8 [S.I. 1986/524](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Statutory Maternity Pay (Medical Evidence) Regulations 1987

9.—(1) The Statutory Maternity Pay (Medical Evidence) Regulations 1987 ^{M9} are amended as follows.

(2) In regulation 1(2) (interpretation), omit the definition of “Primary Care Trust”.

(3) In Part 2 of the Schedule (form of maternity certificate), for the words from “if the form” to “(or, in Scotland,” substitute “ (unless the form has been stamped, in Wales, by the Local Health Board in whose medical performers list you are included or, in Scotland, ”.

Marginal Citations

M9 [S.I. 1987/235](#). Relevant amending instruments are [S.I. 1991/2284](#), [S.I. 2002/2469](#), [S.I. 2004/865](#) and [S.I. 2004/1016](#).

The Income Support (General) Regulations 1987

10.—(1) The Income Support (General) Regulations 1987 ^{M10} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

“(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,

(fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,

(fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”.

(3) In Schedule 9 (sums to be disregarded in the calculation of income other than earnings), in paragraph 27—

(a) after sub-paragraph (d) insert—

“(da) a clinical commissioning group established under section 14D of the National Health Service Act 2006;

(db) the National Health Service Commissioning Board; or”, and

(b) omit sub-paragraph (e) (together with the “or” following it).

Marginal Citations

M10 [S.I. 1987/1967](#). Relevant amending instruments are [S.I. 1998/563](#), [S.I. 2001/859](#), [S.I. 2008/3157](#) and [S.I. 2009/2655](#).

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The Social Security (Claims and Payments) Regulations 1987

11. In regulation 43(7) of the Social Security (Claims and Payments) Regulations 1987 ^{M11} (children), omit paragraph (a) of the definition of “health authority”.

Marginal Citations

M11 [S.I. 1987/1968](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2003/492](#)

The National Health Service (Payment of Remuneration—Special Arrangement) Order 1988

12.—(1) The National Health Service (Payment of Remuneration—Special Arrangement) Order 1988 ^{M12}, so far as it applies in relation to England, is revoked.

(2) In article 2 of that Order (functions conferred on PCTs etc), so far as it applies in relation to Wales—

- (a) omit “, Primary Care Trust”, and
- (b) omit “or Trust's”.

Marginal Citations

M12 [S.I. 1988/865](#). The relevant amending instrument is [S.I. 2002/2469](#).

The National Health Service Trusts (Membership and Procedure) Regulations 1990

13.—(1) The National Health Service Trusts (Membership and Procedure) Regulations 1990 ^{M13} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after paragraph (a) insert—

- “(aa) the National Institute for Health and Care Excellence;
- (ab) the Health and Social Care Information Centre;”.

(3) In regulation 11 (disqualification for appointment of chairman and non-executive directors)—

- (a) in paragraph (5), omit sub-paragraphs (e) and (g), and
- (b) omit paragraph (7).

Marginal Citations

M13 [S.I. 1990/2024](#). Relevant amendment instruments are [S.I. 1997/2990](#), [S.I. 2000/2434](#), [S.I. 2005/497](#), [S.I. 2005/1446](#) and [S.I. 2012/1641](#).

The National Health Service (Remuneration and Conditions of Service) Regulations 1991

14. In regulation 1(2) of the National Health Service (Remuneration and Conditions of Service) Regulations 1991 ^{M14} (interpretation), in the definition of “authority”, omit “Strategic Health Authority”.

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Marginal Citations

M14 [S.I. 1991/481](#). Relevant amending instruments are [S.I. 1998/564](#) and [S.I. 2002/2469](#).

The Statutory Sick Pay (National Health Service Employees) Regulations 1991

15.—(1) The Statutory Sick Pay (National Health Service Employees) Regulations 1991 ^{M15} are amended as follows.

(2) In regulation 1 (interpretation etc), omit paragraphs (3) and (4).

(3) In regulation 2 (treatment of more than one contract of employment as one contract), omit the words from “, or where an order” to “is so divided,”.

(4) In regulation 5 (treatment of two or more employers as one)—

(a) in paragraph (a), omit “or Primary Care Trust” in each place where it occurs, and

(b) omit paragraph (b) and the “or” immediately preceding it.

Marginal Citations

M15 [S.I. 1991/589](#). Relevant amending instruments are [S.I. 2000/694](#) and [S.I. 2002/2469](#).

The Statutory Maternity Pay (National Health Service Employees) Regulations 1991

16.—(1) The Statutory Maternity Pay (National Health Service Employees) Regulations 1991 ^{M16} are amended as follows.

(2) In regulation 1 (interpretation etc), omit paragraphs (3) and (4).

(3) In regulation 2 (treatment of more than one contract of employment as one contract), omit the words from “, or where an order” to “is so divided,”.

(4) In regulation 5 (treatment of two or more employers as one)—

(a) in paragraph (a), omit “or Primary Care Trust” in each place where it occurs, and

(b) omit paragraph (b) and the “or” immediately preceding it.

Marginal Citations

M16 [S.I. 1991/590](#). Relevant amending instruments are [S.I. 2000/694](#) and [S.I. 2002/2469](#).

The Children (Secure Accommodation) Regulations 1991

17.—(1) Regulation 7 of the Children (Secure Accommodation) Regulations 1991 ^{M17} (children to whom section 25 of the Children Act 1989 shall apply and have effect subject to modifications) is amended as follows.

(2) In paragraph (1)(a)—

(a) omit “Primary Care Trusts,” and

(b) after “education functions” insert “ or who are accommodated pursuant to arrangements made by the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group under the National Health Service Act 2006 ”.

(3) In paragraph (2)—

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- (a) in sub-paragraph (a)—
 - (i) omit “a Primary Care Trust,” and
 - (ii) after “education functions” insert “ or who is being provided with accommodation pursuant to arrangements made by the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group under the National Health Service Act 2006 ”, and
- (b) in sub-paragraph (b)—
 - (i) omit “Primary Care Trusts,” and
 - (ii) for “or local authorities” substitute “ , local authorities, the Secretary of State, the National Health Service Commissioning Board or clinical commissioning groups ”.

Marginal Citations

M17 [S.I. 1991/1505](#). Relevant amending instruments are [S.I. 2000/694](#) and [S.I. 2010/1172](#).

The Children (Secure Accommodation) (No. 2) Regulations 1991

18. In regulation 2(1) of the Children (Secure Accommodation) (No. 2) Regulations 1991 ^{M18} (applications to court – special cases)—

- (a) omit “a Primary Care Trust,”
- (b) after “education functions” insert “ or provided with accommodation pursuant to arrangements made by the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group under the National Health Service Act 2006 ”,
- (c) omit “Primary Care Trust,” in the second place where it occurs, and
- (d) after “for the child” insert “ or by the person (namely, the Secretary of State, the National Health Service Commissioning Board or a clinical commissioning group) who has made arrangements for the provision of accommodation for the child ”.

Marginal Citations

M18 [S.I. 1991/2034](#). Relevant amending instruments are [S.I. 2000/694](#), [S.I. 2002/546](#) and [S.I. 2010/1172](#).

The Health and Social Services Councils Regulations (Northern Ireland) 1991

19. In regulation 1(2) of the Health and Social Services Councils Regulations (Northern Ireland) 1991 ^{M19} (interpretation), in the definition of “health service body”, after paragraph (a) insert—

- “(aa) the National Institute for Health and Care Excellence;
- (ab) the Health and Social Care Information Centre;”.

Marginal Citations

M19 [S.R. 1991/70](#), to which there are amendments not relevant to this Order.

The Child Support (Maintenance Assessments and Special Cases) Regulations 1992

20.—(1) The Child Support (Maintenance Assessments and Special Cases) Regulations 1992 ^{M20} are amended as follows.

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- (2) In regulation 1(2) (interpretation)—
 - (a) after the definition of “claimant” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (b) omit the definition of “Primary Care Trust”.
- (3) In paragraph 30 of Schedule 2 (amounts to be disregarded when calculating or estimating N and M)—
 - (a) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
 - (b) after “voluntary organisation” insert “ or the National Health Service Commissioning Board ”.

Marginal Citations

M20 [S.I. 1992/1815](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992

21. In regulation 7A(2) of the Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992 ^{M21} (prescription for the purposes of jurisdiction)—

- (a) after sub-paragraph (aa) insert—
 - “(ab) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ac) the National Health Service Commissioning Board;
 - (ad) the National Institute for Health and Care Excellence;
 - (ae) the Health and Social Care Information Centre;”,
- (b) omit sub-paragraph (b), and
- (c) omit sub-paragraph (da).

Marginal Citations

M21 [S.I. 1992/2645](#). Relevant amending instruments are [S.I. 2001/161](#), [S.I. 2002/2469](#) and [S.I. 2004/696](#).

The Residential Accommodation (Determination of District Health Authority) Regulations 1992

22.—(1) Regulation 2 of the Residential Accommodation (Determination of District Health Authority) Regulations 1992 ^{M22} is amended as follows.

- (2) In paragraph (1), for “or Primary Care Trust”, in each place where it occurs, substitute “ or clinical commissioning group ”.
- (3) In paragraph (2)—
 - (a) for “or Primary Care Trust” substitute “ or clinical commissioning group ”, and
 - (b) for “or Primary Care Trust's”, in each place where it occurs, substitute “or clinical commissioning group's”.

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Marginal Citations

M22 [S.I. 1992/3182](#). Relevant amending instruments are [S.I. 1993/582](#) and [S.I. 2002/2469](#).

The Child Support (Maintenance Arrangements and Jurisdiction) Regulations (Northern Ireland) 1992

23. In regulation 7A(2) of the Child Support (Maintenance Arrangements and Jurisdiction) Regulations (Northern Ireland) 1992 ^{M23} (prescription for the purposes of jurisdiction)—

(a) after sub-paragraph (e) insert—

“(ea) a clinical commissioning group established under section 14D of the National Health Service Act 2006;

(eb) the National Health Service Commissioning Board;

(ec) the National Institute for Health and Care Excellence;

(ed) the Health and Social Care Information Centre;”, and

(b) omit sub-paragraph (f).

Marginal Citations

M23 [S.R. 1992/466](#). The relevant amending instrument is [S.R. 2001/16](#).

The Redundancy Payments (National Health Service) (Modification) Order 1993

24. After paragraph 2A of Schedule 1 to the Redundancy Payments (National Health Service) (Modification) Order 1993 ^{M24} (employment to which Order applies) insert—

“**2B.** a clinical commissioning group established under section 14D of the National Health Service Act 2006.

2C. the National Health Service Commissioning Board.

2D. the National Institute for Health and Care Excellence.

2E. the Health and Social Care Information Centre.”

Marginal Citations

M24 [S.I. 1993/3167](#). The relevant amending instrument is [S.I. 2000/694](#).

The Health and Social Services Trusts (Membership and Procedure) Regulations (Northern Ireland) 1994

25. In regulation 1(2) of the Health and Social Services Trusts (Membership and Procedure) Regulations (Northern Ireland) 1994 ^{M25} (interpretation), in the definition of “health service body”, after paragraph (a) insert—

“(aa) the National Institute for Health and Care Excellence;

(ab) the Health and Social Care Information Centre;”.

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Marginal Citations

M25 [S.R. 1994/63](#), to which there are amendments not relevant to this Order.

The National Health Service Litigation Authority Regulations 1995

26.—(1) The National Health Service Litigation Authority Regulations 1995 ^{M26} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after “means” insert “ the National Institute for Health and Care Excellence, the Health and Social Care Information Centre, ”.

(3) In regulation 7(1) (disqualification for appointment)—

(a) in sub-paragraph (e), omit “a Primary Care Trust,”, and

(b) after sub-paragraph (e) insert—

“(ea) he is the chair, chief executive or a member of the National Institute for Health and Care Excellence or the Health and Social Care Information Centre;”.

(4) This paragraph applies in relation to England only.

Marginal Citations

M26 [S.I. 1995/2801](#). Relevant amending instruments are [S.I. 2000/696](#), [S.I. 2000/2433](#) and [S.I. 2012/1641](#).

The Jobseeker's Allowance Regulations 1996

27.—(1) The Jobseeker's Allowance Regulations 1996 ^{M27} are amended as follows.

(2) In regulation 1(3) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

“(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,

(fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,

(fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”.

(3) In paragraph 28 of Schedule 7 (sums to be disregarded in the calculation of income other than earnings)—

(a) after sub-paragraph (d) insert—

“(da) a clinical commissioning group established under section 14D of National Health Service Act 2006;

(db) the National Health Service Commissioning Board; or”, and

(b) omit sub-paragraph (e) (together with the “or” following it).

Marginal Citations

M27 [S.I. 1996/207](#). Relevant amending instruments are [S.I. 1998/563](#), [S.I. 2001/859](#) and [S.I. 2008/3157](#).

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The National Health Service (Existing Liabilities Scheme) Regulations 1996

28.—(1) In regulation 3(a) of the National Health Service (Existing Liabilities Scheme) Regulations 1996 ^{M28} (eligible bodies), omit sub-paragraphs (zi), (iia) and (iv).

(2) The omission of regulation 3(a)(iv) of those Regulations by sub-paragraph (1) applies in relation to England only.

Marginal Citations

M28 [S.I. 1996/686](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2005/604](#).

The National Health Service (Appointment of Consultants) Regulations 1996

29.—(1) The National Health Service (Appointment of Consultants) Regulations 1996 ^{M29} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “Authority”, omit “a Strategic Health Authority, a Primary Care Trust,”.

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

(a) after “Act 2004,” insert “ or at Public Health England, an executive agency of the Department of Health, ”, and

(b) for “or Agency” substitute “ , Agency or agency ”.

(4) In paragraph 2(b) of Schedule 1 (constitution of an advisory appointments committee), omit paragraphs (i) and (ia).

(5) Sub-paragraph (3) applies in relation to England only.

Marginal Citations

M29 [S.I. 1996/701](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2004/3365](#).

The Employment Protection (Continuity of Employment of National Health Service Employees) (Modification) Order 1996

30. In article 1(2)(b) of the Employment Protection (Continuity of Employment of National Health Service Employees) (Modification) Order 1996 ^{M30} (definition of health service employers), after paragraph (viiia) insert—

“(viib) a clinical commissioning group established under section 14D of the National Health Service Act 2006;

(viic) the National Health Service Commissioning Board;

(viid) the National Institute for Health and Care Excellence;

(viie) the Health and Social Care Information Centre;”.

Marginal Citations

M30 [S.I. 1996/1023](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2004/696](#).

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The National Health Service (Appointment of Consultants) (Wales) Regulations 1996

31. In regulation 5(1)(g) of the National Health Service (Appointment of Consultants) (Wales) Regulations 1996 ^{M31} (exempt appointments)—

- (a) after “Act 2004,” insert “ or at Public Health England, an executive agency of the Department of Health, ”, and
- (b) for “or Agency” substitute “ , Agency or agency ”.

Marginal Citations

M31 [S.I. 1996/1313](#). The relevant amending instrument is [S.I. 2005/3039](#).

The Social Security Benefit (Computation of Earnings) Regulations 1996

32.—(1) The Social Security Benefit (Computation of Earnings) Regulations 1996 ^{M32} are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) after the definition of “claimant” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

- (b) omit the definition of “Primary Care Trust”.

(3) In paragraph 7 of Schedule 1 (sums to be disregarded in the calculation of earnings), for “or Primary Care Trust, local authority or voluntary organisation” substitute “ a clinical commissioning group, the National Health Service Commissioning Board, a local authority or a voluntary organisation ”.

Marginal Citations

M32 [S.I. 1996/2745](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Housing Renewal Grants Regulations 1996

33.—(1) The Housing Renewal Grants Regulations 1996 ^{M33} are amended as follows.

(2) In regulation 2(1) (interpretation)—

- (a) after the definition of “child tax credit” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

- (b) omit the definition of “Primary Care Trust”.

(3) In regulation 26 (earnings of self-employed earners), in paragraph (b) of the definition of “earnings”, for “or Primary Care Trust, local authority or voluntary organisation” substitute “ a clinical commissioning group, the National Health Service Commissioning Board, a local authority or a voluntary organisation ”.

(4) In paragraph 24 of Schedule 3 (sums to be disregarded in the determination of income other than earnings)—

- (a) after sub-paragraph (b) insert—

“(ba) a clinical commissioning group;

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- (bb) the National Health Service Commissioning Board;”, and
(b) omit sub-paragraph (e) and the “or” immediately preceding it.

Marginal Citations

M33 [S.I. 1996/2890](#). Relevant amending instruments are [S.I. 1999/1523](#), [S.I.2002/530](#), [S.I. 2002/2469](#), [S.I. 2002/2798](#), [S.I. 2003/2504](#) and [S.I. 2004/253](#).

The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998

34. In regulation 4(1)(j) of the Education (Publication of Local Education Authority Inspection Reports) Regulations 1998 ^{M34}, omit “or Primary Care Trust (within the meaning of section 16A of that Act)”.

Marginal Citations

M34 [S.I. 1998/880](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Prison Rules 1999

35. In rule 2(1) of the Prison Rules 1999 ^{M35} (interpretation), in the definition of “health care provider”, for “section 28(6)” substitute “ section 275(1) ”.

Marginal Citations

M35 [S.I. 1999/728](#). The relevant amending instrument is [S.I. 2009/3082](#).

The Control of Major Accident Hazards Regulations 1999

36.—(1) The Control of Major Accident Hazards Regulations 1999 ^{M36} are amended as follows.

(2) In regulation 2(1) (interpretation), in paragraph (a) of the definition of “health authority”, for “a Primary Care Trust established under section 16A of the National Health Service Act 1977” substitute “ a clinical commissioning group established under section 14D of the National Health Service Act 2006 ”.

(3) In regulation 9(3) (on-site emergency plan), after sub-paragraph (b) insert—

“(ba) if the establishment is situated in England, the National Health Service Commissioning Board and Public Health England, an executive agency of the Department of Health;”.

(4) After regulation 10(6) (off-site emergency plan) insert—

“(6A) If the establishment is situated in England, the local authority shall also consult the National Health Service Commissioning Board and Public Health England, an executive agency of the Department of Health, on the preparation of the emergency off-site plan.”

Marginal Citations

M36 [S.I. 1999/743](#). The relevant amending instrument is [S.I. 2002/2469](#).

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The National Health Service (Liabilities to Third Parties Scheme) Regulations 1999

37. In regulation 3 of the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999^{M37} (eligible bodies)—

- (a) after paragraph (ab) insert—
 - “(ac) the National Institute for Health and Care Excellence,
 - (ad) the Health and Social Care Information Centre,”
- (b) omit paragraph (b) (together with the “or” following it),
- (c) omit paragraph (d) (together with the “or” following it), and
- (d) omit paragraph (e).

Marginal Citations

M37 [S.I. 1999/873](#). Relevant amending instruments are [S.I. 2000/2385](#), [S.I. 2002/2469](#), [S.I. 2005/604](#) and [S.I. 2012/1641](#).

The National Health Service (Property Expenses Scheme) Regulations 1999

38. In regulation 3 of the National Health Service (Property Expenses Scheme) Regulations 1999^{M38} (eligible bodies)—

- (a) after paragraph (ab) insert—
 - “(ac) the National Institute for Health and Care Excellence,
 - (ad) the Health and Social Care Information Centre,”
- (b) omit paragraph (b) (together with the “or” following it),
- (c) omit paragraph (d) (together with the “or” following it), and
- (d) omit paragraph (e).

Marginal Citations

M38 [S.I. 1999/874](#). Relevant amending instruments are [S.I. 2000/2342](#), [S.I. 2002/2469](#), [S.I. 2005/604](#) and [S.I. 2012/1641](#).

The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999

39. In the Schedule to the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999^{M39}, in the table, omit the entries relating to the Alcohol Education and Research Council in columns 1 and 2.

Marginal Citations

M39 [S.I. 1999/1319](#), to which there are amendments not relevant to this Order.

The Education (Special Educational Needs) (Information) (England) Regulations 1999

40.—(1) The Education (Special Educational Needs) (Information) (England) Regulations 1999^{M40} are amended as follows.

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- (2) In regulation 2 (interpretation) —
- (a) after the definition of “the 1998 Act” insert—
- ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
- (b) omit the definition of “Primary Care Trust”.
- (3) In regulation 4(1)(a)(ii) (manner of publication of information)—
- (a) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
- (b) after “situated” insert “ and to the National Health Service Commissioning Board ”.

Marginal Citations

M40 [S.I. 1999/2506](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Data Protection (Subject Access Modification) (Social Work) Order 2000

41. In paragraph 1(l) of the Schedule to the Data Protection (Subject Access Modification) (Social Work) Order 2000 ^{M41} (personal data to which Order applies)—

- (a) omit paragraph (zi),
- (b) after paragraph (iiza) insert—
- “(iizb) a clinical commissioning group established under section 14D of the National Health Service Act 2006,
- (iizc) the National Health Service Commissioning Board, or”, and
- (c) omit paragraph (iia) (together with the “or” following it).

Marginal Citations

M41 [S.I. 2000/415](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2004/696](#).

The NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000

42.—(1) The NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000 ^{M42} are amended as follows.

- (2) In regulation 5 (functions of NHS bodies), for the “and” following paragraph (bb) substitute—
- “(bc) the function of arranging the provision of Healthy Start vitamins under regulation 8A of the Healthy Start Scheme and Welfare Foods (Amendment) Regulations 2005; and”.
- (3) In regulation 6 (health-related functions of local authorities), after paragraph (a) insert—
- “(aa) the function of providing Healthy Start vitamins under regulation 8A of the Healthy Start Scheme and Welfare Foods (Amendment) Regulations 2005;”.
- (4) This paragraph applies in relation to England only.

Marginal Citations

M42 [S.I. 2000/617](#). Relevant amending instruments are [S.I. 2010/1000](#) and [S.I. 2012/3094](#).

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Water Supply (Water Quality) Regulations 2000

^{F1}43.

F1 Sch. 2 para. 43 revoked (27.6.2016) by The Water Supply (Water Quality) Regulations 2016 (S.I. 2016/614), reg. 1(1), Sch. 7 (with reg. 1(2)(3))

The Young Offender Institution Rules 2000

44. In rule 2(1) of the Young Offender Institution Rules 2000 ^{M43} (interpretation), in the definition of “health care provider”, for “section 28(6)” substitute “ section 275(1) ”.

Marginal Citations

M43 S.I. 2000/3371. The relevant amending instrument is S.I. 2009/3082.

The Immigration and Asylum Act 1999 (Part V Exemption: Educational Institutions and Health Sector Bodies) Order 2001

45. In Schedule 3 to the Immigration and Asylum Act 1999 (Part V Exemption: Educational Institutions and Health Sector Bodies) Order 2001 ^{M44} (health sector bodies), in paragraph 1—

- (a) omit sub-paragraph (za),
- (b) after paragraph (bb) insert—
 - “(bc) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (bd) the National Health Service Commissioning Board;”, and
- (c) omit paragraph (c).

Marginal Citations

M44 S.I. 2001/1403. Relevant amending instruments are S.I. 2002/2469 and S.I. 2004/696.

The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001

46.—(1) The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 ^{M45} are amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) after “In these Regulations—” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (b) omit the definition of “Primary Care Trust”.
- (3) In regulation 3 (manner of publication of information)—
 - (a) in paragraph (1)(a), for “to any Primary Care Trust” substitute “ to the National Health Service Commissioning Board and to any clinical commissioning group ”, and
 - (b) in paragraph (4)(a), for “to a Primary Care Trust” substitute “ to the National Health Service Commissioning Board and to a clinical commissioning group ”.

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Marginal Citations

M45 [S.I. 2001/2218](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2010/1172](#).

The Radiation (Emergency Preparedness and Public Information) Regulations 2001

47.—(1) The Radiation (Emergency Preparedness and Public Information) Regulations 2001^{M46} are amended as follows.

(2) In regulation 2(1) (interpretation), in paragraph (a) of the definition of “health authority”, for “a Primary Care Trust established under section 16A of the National Health Service Act 1977” substitute “ a clinical commissioning group established under section 14D of the National Health Service Act 2006 ”.

(3) In regulation 7(6) (operator's emergency plan), for the “and” at the end of sub-paragraph (a) substitute—

- “(aa) if the premises of the operator are situated in England, the National Health Service Commissioning Board;
- (ab) if the premises of the operator are situated in England or Wales, Public Health England, an executive agency of the Department of Health; and”.

(4) In regulation 8(7) (carrier's emergency plan), for the “and” at the end of sub-paragraph (a) substitute—

- “(aa) the National Health Service Commissioning Board and Public Health England, an executive agency of the Department of Health; and”.

(5) In regulation 9(12) (off-site emergency plan), for the “and” at the end of sub-paragraph (a) substitute—

- “(aa) if the premises of the operator are situated in England, the National Health Service Commissioning Board;
- (ab) if the premises of the operator are situated in England or Wales, Public Health England, an executive agency of the Department of Health; and”.

(6) In regulation 13(3)(a) (implementation of emergency plans)—

- (a) in paragraph (i), after “the health authority,” insert “ the National Health Service Commissioning Board (if the premises of the operator are situated in England), Public Health England, an executive agency of the Department of Health, (if the premises of the operator are situated in England or Wales), ”, and
- (b) in paragraph (ii), for “the Agency” substitute “ the Agency, the National Health Service Commissioning Board and Public Health England, an executive agency of the Department of Health, ”.

Marginal Citations

M46 [S.I. 2001/2975](#). The relevant amending instrument is [S.I. 2002/2469](#).

The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001

48.—(1) The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001^{M47} are amended as follows.

(2) In regulation 2 (interpretation)—

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- (a) in paragraph (1)—
 - (i) after the definition of “Careers Service” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (ii) omit the definition of “Primary Care Trust”, and
- (b) in paragraph (3), for “Primary Care Trust”, in each place where it occurs, substitute “clinical commissioning group”.
- (3) In regulation 6(2)(b) (notices relating to assessment), for “Primary Care Trust” substitute “clinical commissioning group and the National Health Service Commissioning Board”.
- (4) In regulation 7(1)(c) (advice to be sought), for “Primary Care Trust” substitute “clinical commissioning group or the National Health Service Commissioning Board (or both)”.
- (5) In regulation 9 (medical advice), for “Primary Care Trust, who” substitute “clinical commissioning group or the National Health Service Commissioning Board (or both), which”.
- (6) In regulation 12 (time limits and prescribed information)—
 - (a) in paragraph (7)(e), for “Primary Care Trust”, in each place where it occurs, substitute “clinical commissioning group or the National Health Service Commissioning Board (or both)”,
 - (b) in paragraph (8), for “Primary Care Trust”, in each place where it occurs, substitute “clinical commissioning group or the National Health Service Commissioning Board”,
 - (c) in paragraph (9), for “Primary Care Trust”, in each place where it occurs, substitute “clinical commissioning group or the National Health Service Commissioning Board”, and
 - (d) in paragraph (10), for “Primary Care Trust” substitute “clinical commissioning group or the National Health Commissioning Board”.
- (7) In regulation 18 (reviews of statements)—
 - (a) in paragraph (6), for “Primary Care Trust”, in each place where it occurs, substitute “clinical commissioning group”, and
 - (b) after that paragraph insert—

“(7) A copy of any notice served on the clinical commissioning group under paragraph (6) shall be served on the National Health Service Commissioning Board not less than two weeks before the first day of every school term.”
- (8) In Part 6 of Schedule 2 (statement of special educational needs), for “Primary Care Trust” substitute “clinical commissioning group, the National Health Service Commissioning Board”.
- (9) This paragraph applies in relation to England only.

Marginal Citations

M47 [S.I. 2001/3455](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2010/1172](#).

The Children's Homes Regulations 2001

49.—(1) The Children's Homes Regulations 2001 ^{M48} are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “children's guide” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

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- (b) omit the definition of “Primary Care Trust”.
- (3) In Schedule 5 (events and notifications), in the table—
 - (a) in the column relating to a local authority, in the row relating to the outbreak of any infectious disease, insert “ yes ”, and
 - (b) in the column relating to Primary Care Trusts, for “Primary Care Trusts” substitute “ Clinical commissioning groups and the National Health Service Commissioning Board ”.
- (4) This paragraph applies in relation to England only.

Marginal Citations

M48 [S.I. 2001/3967](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2011/583](#).

The Misuse of Drugs Regulations 2001

- 50.**—(1) The Misuse of Drugs Regulations 2001 ^{M49} are amended as follows.
- (2) In regulation 2(1) (interpretation), omit the definition of “Primary Care Trust”.
 - (3) In regulation 15 (form of prescriptions)—
 - (a) in paragraph (1)(aa), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”.
 - (b) in paragraph (1A), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”, and
 - (c) in paragraph (1B), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”.
 - (4) In regulation 16(1D)(a) (provisions as to supply on prescription), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”.

Marginal Citations

M49 [S.I. 2001/3998](#). The relevant amending instrument is [S.I. 2006/1450](#).

The Nursing and Midwifery Order 2001

- 51.**—(1) The Nursing and Midwifery Order 2001 ^{M50} is amended as follows.
- (2) In Schedule 1 (the Nursing and Midwifery Council and Committees), in paragraph 1A (membership: general), omit sub-paragraphs (4) and (5).
 - (3) In Schedule 4 (interpretation), in paragraph (a) of the definition of “local supervising authority”, for “Strategic Health Authorities established under section 8 of the National Health Service Act 1977” substitute “ the National Health Service Commissioning Board ”.

Marginal Citations

M50 [S.I. 2002/253](#). Relevant amending instruments are [S.I. 2002/2469](#) and [S.I. 2008/1485](#).

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The Health and Social Work Professions Order 2001

52. In Schedule 1 to the Health and Social Work Professions Order 2001 ^{M51} (the Health Professions Council and Committees), in paragraph 1A (membership: general), omit subparagraph (4).

Marginal Citations

M51 [S.I. 2002/254](#). Relevant amending provisions are [S.I. 2009/1182](#) and section 213(5) of the [Health and Social Care Act 2012 \(c. 7\)](#). The title of the Order was amended by section 213(6) of that Act.

The Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001

53. In regulation 1(2) of the Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001 ^{M52} (interpretation), in the definition of “health service body”—

- (a) in paragraph (a), after “a health authority,” insert “ a clinical commissioning group, the National Health Service Commissioning Board, ”, and
- (b) after paragraph (d) insert—
 - “(da) the National Institute for Health and Care Excellence;
 - (db) the Health and Social Care Information Centre;”.

Marginal Citations

M52 [S.R. 2001/313](#), to which there are amendments not relevant to this Order.

The State Pension Credit Regulations 2002

54.—(1) The State Pension Credit Regulations 2002 ^{M53} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

- “(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,
- (fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,
- (fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”.

(3) In regulation 17B (earnings of self-employed earners), in paragraph (4)(b), in the added paragraph (2)(d)—

- (a) after paragraph (iv) insert—
 - “(iva) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ivb) the National Health Service Commissioning Board; or”.
- (b) omit paragraph (v) (together with the “or” following it).

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Marginal Citations

M53 [S.I. 2002/1792](#). Relevant amending instruments are [S.I. 2002/3019](#), [S.I. 2008/3157](#) and [S.I. 2009/2655](#).

The Tax Credits (Definition and Calculation of Income) Regulations 2002

55. In regulation 19(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002 ^{M54} (general disregards in the calculation of income), in column 1 of item 3 of Table 8—

(a) after paragraph (d) insert—

“(da) a clinical commissioning group established under section 14D of the National Health Service Act 2006;

(db) the National Health Service Commissioning Board.”, and

(b) omit paragraph (e).

Marginal Citations

M54 [S.I. 2002/2006](#), to which there are amendments not relevant to this Order.

The Statutory Paternity Pay and Statutory Adoption Pay (National Health Service Employees) Regulations 2002

56.—(1) The Statutory Paternity Pay and Statutory Adoption Pay (National Health Service Employees) Regulations 2002 ^{M55} are amended as follows.

(2) In regulation 1(2) (interpretation etc), omit the definition of “Primary Care Trust”.

(3) In regulation 2 (treatment of more than one contract of employment as one contract), omit the words from “, or where an order” to “is so divided,”.

(4) In regulation 5 (treatment of two or more employers as one)—

(a) in paragraph (a), omit “or Primary Care Trust” in each place where it occurs, and

(b) omit paragraph (b) and the “or” immediately preceding it.

Marginal Citations

M55 [S.I. 2002/2819](#), to which there is an amendment not relevant to this Order.

The Residential Family Centres Regulations 2002

57. In Schedule 5 to the Residential Family Centres Regulations 2002 ^{M56} (events and notifications), in the table—

(a) in the column relating to a local authority, in the row relating to the outbreak of any infectious disease, insert “yes”, and

(b) in the column relating to a Primary Care Trust—

(i) for “Primary Care Trust” substitute “Clinical commissioning group and the National Health Service Commissioning Board”, and

(ii) in the row relating to the outbreak of any infectious disease, omit “yes”.

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Marginal Citations

M56 [S.I. 2002/3213](#), to which there are amendments not relevant to this Order.

The Misuse of Drugs Regulations (Northern Ireland) 2002

- 58.**—(1) The Misuse of Drugs Regulations (Northern Ireland) 2002^{M57} are amended as follows.
- (2) In regulation 2(2) (interpretation), omit the definition of “Primary Care Trust”.
- (3) In regulation 15 (form of prescriptions)—
- (a) in paragraph (1)(aa), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”,
 - (b) in paragraph (1A), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”, and
 - (c) in paragraph (1B), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”.
- (4) In regulation 16(1D)(a) (provisions as to supply on prescription), for “a Primary Care Trust or” substitute “ the National Health Service Commissioning Board or an ”.

Marginal Citations

M57 [S.R. 2002/1](#). The relevant amending instrument is [S.R. 2006/264](#).

The Health, Social Care and Well-being Strategies (Wales) Regulations 2003

- 59.**—(1) In the English text of the Health, Social Care and Well-being Strategies (Wales) Regulations 2003^{M58}, in regulation 2 (interpretation)—
- (a) in the definition of “health and well-being services” (“*gwasanaethau iechyd a llesiant*”), after “provided by an NHS body;” insert “ any services provided under or in connection with the public health functions of a local authority (within the meaning of the National Health Service Act 2006: see sections 1H(5)(b) and 2B(5)); ”,
 - (b) in the definition of “local authority” (“*awdurdod lleol*”), after “*lleol*” insert “, except in the case of the first reference to a local authority in the definition of “health and well-being services” (“*gwasanaethau iechyd a llesiant*”),” and
 - (c) in the definition of “NHS body” (“*corff GIG*”), omit “, Strategic Health Authority, Primary Care Trust”.
- (2) In the Welsh text of the Health, Social Care and Well-being Strategies (Wales) Regulations 2003, in regulation 2 (dehongli) —
- (a) in the definition of “*gwasanaethau iechyd a llesiant*” (“*health and well-being services*”), after “*sy'n cael eu darparu gan gorff GIG;*” insert “*unrhyw wasanaethau sy'n cael eu darparu o dan neu mewn cysylltiad i ½ swyddogaethau iechyd y cyhoedd awdurdod lleol (o fewn ystyr Deddf y Gwasanaeth Iechyd Gwladol 2006: gweler adrannau 1H(5)(b) a 2B(5));*”,
 - (b) in the definition of “*awdurdod lleol*” (“*local authority*”), after “*lleol*” insert “, ac eithrio yn achos y cyfeiriad cyntaf at awdurdod lleol yn y diffiniad o “*gwasanaethau iechyd a llesiant*” (“*health and well-being services*”),” and

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- (c) in the definition of “corff GIG” (“*NHS body*”), omit “, Awdurdod Iechyd Strategol, Ymddiriedolaeth Iechyd Sylfaenol”.

Marginal Citations

M58 [S.I. 2003/154](#) (W. 24), to which there are amendments not relevant to this Order.

The Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003

60.—(1) The Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003 ^{M59} are amended as follows.

(2) In regulation 19(3) (notifiable events)—

(a) after the definition of “area authority” insert—

““clinical commissioning group” means the clinical commissioning group in whose area the child is placed for adoption by the agency;”, and

(b) omit the definition of “Primary Care Trust” (but not the “and” following it).

(3) In regulation 24K (notifiable events), in the added paragraph (1B)—

(a) in sub-paragraph (b), for “Primary Care Trust” substitute “ clinical commissioning group ”, and

(b) after that sub-paragraph insert—

“(ba) the National Health Service Commissioning Board;”.

(4) In Schedule 4 (events and notifications), in column 2 of the table, for “Primary Care Trust” substitute “ Clinical commissioning group and the National Health Service Commissioning Board ”.

Marginal Citations

M59 [S.I. 2003/367](#). The relevant amending instrument is [S.I. 2005/3341](#).

The School Organisation Proposals by the Learning and Skills Council for England Regulations 2003

61.—(1) The School Organisation Proposals by the Learning and Skills Council for England Regulations 2003 ^{M60} are amended as follows.

(2) In regulation 4(7)(b) (publication of preliminary notice), for “any Strategic Health Authority who act” substitute “ the National Health Service Commissioning Board and any clinical commissioning group which acts ”.

(3) In regulation 16(2)(d) (other bodies to whom information should be sent: special schools), for “any Strategic Health Authority who act” substitute “ the National Health Service Commissioning Board and any clinical commissioning group which acts ”.

Marginal Citations

M60 [S.I. 2003/507](#), to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Delayed Discharges (England) Regulations 2003

- 62.**—(1) The Delayed Discharges (England) Regulations 2003^{M61} are amended as follows.
- (2) In regulation 2 (interpretation), in the definition of “health service body”, omit paragraph (a).
 - (3) Omit regulation 12 (lists of persons).
 - (4) Omit regulation 13 (inclusion on and removal of a person's name from a list).
 - (5) Omit regulation 14 (application for assistance with resolution of a dispute).
 - (6) Omit regulation 15 (appointment of a panel to assist with resolution of a dispute).
 - (7) Omit regulation 16 (procedure of the panel).
 - (8) Omit regulation 17 (legal proceedings).

Marginal Citations

M61 [S.I. 2003/2277](#), to which there are amendments not relevant to this Order.

The Registration of Establishments (Laying Hens) (England) Regulations 2003

63. In regulation 4(1) of the Registration of Establishments (Laying Hens) (England) Regulations 2003^{M62} (exchange of information), omit “and the Health Protection Agency”.

Marginal Citations

M62 [S.I. 2003/3100](#), to which there are amendments not relevant to this Order.

The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

64.—(1) The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004^{M63} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) in the definition of “chemist”, for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”,
 - (b) after the definition of “childhood vaccinations and immunisations” insert—
““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,
 - (c) in the definition of “medical card”—
 - (i) omit “Primary Care Trust,”, and
 - (ii) after “Social Services Board” insert “ or the National Health Service Commissioning Board ”,
 - (d) after the definition of “the NHS dispute resolution procedure” insert—
““NHSLA” means the National Health Service Litigation Authority established as a Special Health Authority by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995;”,
 - (e) omit the definition of “NPSA”, and
 - (f) omit the definition of “Primary Care Trust”.
- (3) In regulation 4 (conditions: general)—

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- (a) in paragraph (2)(b)(ii), omit “Primary Care Trust,” and
- (b) in paragraph (3)(b)(ii), omit “a Primary Care Trust,”.
- (4) In regulation 5 (general condition relating to all contracts), after paragraph (5) insert—
 - “(6) References in paragraph (2)(c) to a health service body include a Strategic Health Authority and a Primary Care Trust.”
- (5) Schedule 6 (other contractual terms) is amended as follows.
- (6) In paragraph 22(1)(b) (removal from lists if patients registered elsewhere), for “a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, ”.
- (7) In paragraph 67(1)(b) (appraisal and assessment), for “NPSA” substitute “ NHSLA ”.
- (8) In paragraph 95(2) (co-operation with investigations), in the definition of “NHS body”, for “a Strategic Health Authority, a Primary Care Trust,” substitute “ a clinical commissioning group, the National Health Service Commissioning Board, ”.
- (9) In paragraph 111 (other grounds for termination by the Local Health Board), after sub-paragraph (5) insert—
 - “(6) References in sub-paragraph (2)(d) to a health service body include a Strategic Health Authority and a Primary Care Trust.”

Marginal Citations

M63 [S.I. 2004/478](#) (W. 48). The relevant amending instrument is [S.I. 2006/358](#).

The National Health Service (Performers Lists) (Wales) Regulations 2004

65.—(1) The National Health Service (Performers Lists) (Wales) Regulations 2004 ^{M64} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) in the definition of “equivalent body”—
 - (i) for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”, and
 - (ii) after “Health Authority in Wales,” insert “ in relation to any time prior to 1st April 2013 and after 30th September 2002, a Primary Care Trust in England, ”,
 - (b) after the definition of “the NCAA” insert—
 - ““NICE” means the National Institute for Health and Clinical Excellence established as a Special Health Authority by the National Institute for Clinical Excellence (Establishment and Constitution) Order 1999;
 - “the NHSLA” means the National Health Service Litigation Authority established as a Special Health Authority by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995;”,
 - (c) in the definition of “primary care organisation”, for “a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, ”, and
 - (d) in the definition of “suspended”, for “by a Primary Care Trust” substitute “ by the National Health Service Commissioning Board or, after 30th September 2002 and prior to 1st April 2013, by a Primary Care Trust ”.
- (3) In regulation 4(3)(d) (application for inclusion in performers list), for “NPSA” substitute “ NHSLA ”.

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(4) In regulation 11(6)(e) (criteria for decision on removal), for “or thereafter by the NPSA” substitute “, by the NPSA after 31st March 2005 and on or before 31st March 2012, by NICE after 31st March 2012 and on or before 31st March 2013, or by the NHSLA thereafter”.

(5) In regulation 16(2)(g) (notification), for “NPSA” substitute “ NHSLA ”.

(6) In regulation 20(1)(f) (disclosure of information), for “NPSA” substitute “ NHSLA ”.

Marginal Citations

M64 [S.I. 2004/1020](#) (W. 117). Relevant amending instruments are [S.I. 2005/258](#) and [S.I. 2006/358](#).

The Medicines for Human Use (Clinical Trials) Regulations 2004

66.—(1) The Medicines for Human Use (Clinical Trials) Regulations 2004 ^{M65} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “health service body”—

(a) in paragraph (a), omit “Strategic Health Authority,”, and

(b) in paragraph (b), omit “Primary Care Trust,”.

(3) In Schedule 2 (additional provisions relating to ethics committees), in paragraph 3 (membership), after sub-paragraph (5) insert—

“(6) References in sub-paragraph (5) to a health service body include—

(a) a Strategic Health Authority,

(b) a Primary Care Trust,

(c) the National Institute for Health and Care Excellence, and

(d) the Health and Social Care Information Centre.”

Marginal Citations

M65 [S.I. 2004/1031](#). The relevant amending instrument is [S.I. 2012/1641](#).

The Registration of Establishments (Laying Hens) (Wales) Regulations 2004

67.—(1) In the English text of the Registration of Establishments (Laying Hens) (Wales) Regulations 2004 ^{M66}, in regulation 5(1) (exchange of information), for “and the Health Protection Agency are” substitute “ is ”.

(2) In the Welsh text of the Registration of Establishments (Laying Hens) (Wales) Regulations 2004, in regulation 5(1) (cyfnewid gwybodaeth), omit “a'r Asiantaeth Diogelu Iechyd”.

Marginal Citations

M66 [S.I. 2004/1432](#) (W. 145).

The Justification of Practices Involving Ionising Radiation Regulations 2004

68.—(1) The Justification of Practices Involving Ionising Radiation Regulations 2004 ^{M67} are amended as follows.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

(2) In regulation 18(1)(a) (consultation), for paragraph (iii) (together with the “and” following it) substitute—

“(iii) Public Health England, an executive agency of the Department of Health; and”.

(3) In regulation 22(3) (contravention notices), for sub-paragraph (d) substitute—

“(d) Public Health England, an executive agency of the Department of Health;”.

Marginal Citations

M67 [S.I. 2004/1769](#). The relevant amending instrument is [S.I. 2005/525](#).

The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004

69. In regulation 2 of the National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004 ^{M68} (interpretation), in the definition of “equivalent body”, after “in England,” insert “the National Health Service Commissioning Board or, in relation to any time prior to 1st April 2013, ”.

Marginal Citations

M68 [S.S.I. 2004/114](#), to which there are amendments not relevant to this Order.

The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004

70.—(1) The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004 ^{M69} are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “childhood vaccinations and immunisations” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,

(b) in the definition of “medical card”—

(i) omit “Primary Care Trust,”, and

(ii) after “Health and Social Services Board” insert “ or by the National Health Service Commissioning Board ”, and

(c) omit the definition of “Primary Care Trust”.

(3) In Schedule 5 (other contractual terms)—

(a) in paragraph 22(1)(b) (removals from the list of patients registered elsewhere)—

(i) omit “Primary Care Trust,”, and

(ii) after “Health and Social Services Board” insert “ or the National Health Service Commissioning Board, ”, and

(b) in paragraph 87(2) (co-operation with investigations), in the definition of “NHS body”—

(i) for “a Primary Care Trust,” substitute “ a clinical commissioning group, ”, and

(ii) for “a Strategic Health Authority,” substitute “ the National Health Service Commissioning Board, ”.

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Marginal Citations

M69 S.S.I. 2004/115. Relevant amending instruments are S.S.I. 2010/394 and S.S.I. 2012/36.

The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004

71.—(1) The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004 ^{M70} are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “childhood vaccinations and immunisations” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,

(b) in the definition of “medical card”—

(i) omit “Primary Care Trust,” and

(ii) after “Health and Social Services Board” insert “ or by the National Health Service Commissioning Board ”, and

(c) omit the definition of “Primary Care Trust”.

(3) In paragraph 52(2) of Schedule 1 (co-operation with investigations), in the definition of “NHS body”—

(a) for “Primary Care Trust,” substitute “ clinical commissioning group, ”, and

(b) for “a Strategic Health Authority,” substitute “ the National Health Service Commissioning Board, ”.

(4) In paragraph 15(1)(b) of Schedule 2 (removals from the list of patients registered elsewhere)

(a) omit “Primary Care Trust,” and

(b) after “Health and Social Services Board” insert “ or the National Health Service Commissioning Board ”.

Marginal Citations

M70 S.S.I. 2004/116, to which there are amendments not relevant to this Order.

The Community Health Partnerships (Scotland) Regulations 2004

72. In regulation 7(2)(g) of the Community Health Partnerships (Scotland) Regulations 2004 ^{M71} (disqualification), after paragraph (i) insert—

“(ia) Parts 4 to 6 of the 2006 Act by the National Health Service Commissioning Board in accordance with regulations made under section 91, 106 or 123 of that Act;”.

Marginal Citations

M71 S.S.I. 2004/386. The relevant amending instrument is S.S.I. 2010/422.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Regulation and Improvement Authority (Appointments and Procedure) Regulations (Northern Ireland) 2004

73.—(1) The Regulation and Improvement Authority (Appointments and Procedure) Regulations (Northern Ireland) 2004^{M72} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after paragraph (a) insert—

- “(aa) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
- (ab) the National Health Service Commissioning Board;
- (ac) the National Institute for Health and Care Excellence;
- (ad) the Health and Social Care Information Centre;”.

(3) In regulation 4(1) (disqualification for appointment)—

- (a) in sub-paragraph (d)—
 - (i) after “health service body” insert “ (other than a clinical commissioning group) ”, and
 - (ii) after “health and social services body” insert “ , or as the chair or a member of the governing body of a clinical commissioning group, ”,
- (b) in sub-paragraph (f), after “health service body” insert “ (other than a clinical commissioning group) ”, and
- (c) after sub-paragraph (f) insert—
 - “(fa) a person who is the chair or a member of the governing body of a clinical commissioning group, or an employee of such a group;”.

Marginal Citations

M72 S.R. 2004/37, to which there are amendments not relevant to this Order.

The Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004

74.—(1) The Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004^{M73} is amended as follows.

(2) In article 1(2) (interpretation), in the definition of “a health service body”, after paragraph (a) insert—

- “(aa) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
- (ab) the National Health Service Commissioning Board;
- (ac) the National Institute for Health and Care Excellence;
- (ad) the Health and Social Care Information Centre;”.

(3) In article 5(1)(d) (disqualification for appointment)—

- (a) after “health service body” insert “ (other than a clinical commissioning group) ”, and
- (b) after “health and social services body” insert “ , or as the chair or a member of the governing body of a clinical commissioning group, ”.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

Marginal Citations

M73 S.R. 2004/62, to which there are amendments not relevant to this Order.

The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004

75.—(1) The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004 ^{M74} are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) after the definition of “childhood vaccinations and immunisations” insert—
““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,
- (b) in the definition of “medical card”, for “a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, a ”.
- (c) omit the definition of “Primary Care Trust”, and
- (d) omit the definition of “Strategic Health Authority”.

(3) In regulation 4 (conditions relating solely to medical practitioners)—

- (a) in paragraph (2)(b)(ii), omit “a Primary Care Trust,”, and
- (b) in paragraph (3)(b)(ii), omit “a Primary Care Trust,”.

(4) In Schedule 5 (other contractual terms)—

- (a) in paragraph 22(1)(b) (removals from the list of patients registered elsewhere), for “a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, ”, and
- (b) in paragraph 89(2) (co-operation with investigations), in the definition of “NHS body”—
 - (i) for “a Primary Care Trust,” substitute “ a clinical commissioning group, ”, and
 - (ii) for “a Strategic Health Authority,” substitute “ the National Health Service Commissioning Board, ”.

Marginal Citations

M74 S.R. 2004/140, to which there are amendments not relevant to this Order.

The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004

76.—(1) The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004 ^{M75} are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “equivalent body”, for “a Primary Care Trust established under section 16A of the National Health Services Act 1977,” substitute “ the National Health Service Commissioning Board, ”, and
- (b) for the definition of “NPSA” substitute—

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““NHSLA” means the National Health Service Litigation Authority established as a Special Health Authority by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995;”.

- (3) In regulation 14 (disclosure of information)—
- (a) in paragraph (2)(g), for “NPSA” substitute “ NHSLA ”, and
 - (b) in paragraph (8)(j), for “NPSA” substitute “ NHSLA ”.

(4) In Schedule 1 (information etc to be included in an application for inclusion in a primary medical services performers list), in paragraph 3(a)(ii), for “NPSA” substitute “ NHSLA ”.

Marginal Citations

M75 [S.R. 2004/149](#). The relevant amending instrument is [S.R. 2008/434](#).

The Blood Safety and Quality Regulations 2005

77. In regulation 1(3) of the Blood Safety and Quality Regulations 2005 ^{M76} (interpretation), in paragraph (a) of the definition of “health service body”, omit “Strategic Health Authority,” and “, Primary Care Trust”.

Marginal Citations

M76 [S.I. 2005/50](#), to which there are amendments not relevant to this Order.

The Health Service Commissioner for England (Special Health Authorities) Order 2005

78. In the Schedule to the Health Service Commissioner for England (Special Health Authorities) Order 2005 ^{M77} (Special Health Authorities designated as subject to investigation), omit the entries relating to the National Institute for Clinical Excellence and the National Patient Safety Agency.

Marginal Citations

M77 [S.I. 2005/251](#), to which there are amendments not relevant to this Order.

The Adoption Agencies Regulations 2005

79. In regulation 35(6)(b) of the Adoption Agencies Regulations 2005 ^{M78} (requirements imposed on the adoption agency before the child may be placed for adoption)—

- (a) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
- (b) after “has his home,” insert “ and to the National Health Service Commissioning Board if the prospective adopter's home is in England, ”.

Marginal Citations

M78 [S.I. 2005/389](#), to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Adoptions with a Foreign Element Regulations 2005

- 80.**—(1) The Adoptions with a Foreign Element Regulations 2005 ^{M79} are amended as follows.
- (2) In regulation 5(1)(c) (functions imposed on local authority)—
- (a) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
 - (b) after “has his home,” insert “ and to the National Health Service Commissioning Board if the prospective adopter's home is in England, ”.
- (3) In regulation 22(b) (applicable requirements in respect of an adoption agency before the child enters the UK)—
- (a) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
 - (b) after “has his home,” insert “ and to the National Health Service Commissioning Board if the prospective adopter's home is in England, ”.

Marginal Citations

M79 [S.I. 2005/392](#), to which there are amendments not relevant to this Order.

The Adoption Support Services Regulations 2005

- 81.**—(1) The Adoption Support Services Regulations 2005 ^{M80} are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) after the definition of “child” insert—
““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (b) omit the definition of “Primary Care Trust”.
- (3) In regulation 5(1)(c) (arrangements for securing provision of services), for “or Primary Care Trust” substitute “ , a clinical commissioning group and the National Health Service Commissioning Board ”.
- (4) In regulation 14(4) (procedure for assessment)—
- (a) for “a Primary Care Trust,” substitute “ a clinical commissioning group, the National Health Service Commissioning Board, ”, and
 - (b) for “that Primary Care Trust, Local Health Board or local authority” substitute “ that group, board, or authority ”.
- (5) In regulation 16(3) (plan)—
- (a) for “a Primary Care Trust,” substitute “ a clinical commissioning group, the National Health Service Commissioning Board, ”, and
 - (b) for “that Primary Care Trust, Local Health Board or local authority” substitute “ that group, board or authority ”.

Marginal Citations

M80 [S.I. 2005/691](#). The relevant amending instrument is [S.I. 2010/1172](#).

The Special Guardianship Regulations 2005

- 82.**—(1) The Special Guardianship Regulations 2005 ^{M81} are amended as follows.

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(2) In regulation 4(1)(d) (arrangements for securing provision of services), for “or Primary Care Trust” substitute “, a clinical commissioning group and the National Health Service Commissioning Board”.

(3) In regulation 12(3) (procedure for assessment)—

- (a) for “a Local Health Board, Primary Care Trust” substitute “a Local Health Board, a clinical commissioning group, the National Health Service Commissioning Board”, and
- (b) for “that Local Health Board, Primary Care Trust or local authority” substitute “that board, group or authority”.

(4) In regulation 14(3) (plan)—

- (a) for “a Local Health Board, Primary Care Trust” substitute “a Local Health Board, a clinical commissioning group, the National Health Service Commissioning Board”, and
- (b) for “that Local Health Board, Primary Care Trust or local authority” substitute “that board, group or authority”.

Marginal Citations

M81 [S.I. 2005/1109](#). The relevant amending instrument is [S.I. 2010/1172](#).

The Adoption Agencies (Wales) Regulations 2005

83.—(1) In the English text of the Adoption Agencies (Wales) Regulations 2005 ^{M82}, in regulation 36(4) (requirements imposed on adoption agency)—

- (a) in sub-paragraph (b), for “Primary Care Trust” substitute “clinical commissioning group”, and
- (b) after that sub-paragraph insert—
 - “(ba) if the prospective adopter resides in England, notify the National Health Service Commissioning Board in writing of the proposed placement.”.

(2) In the Welsh text of the Adoption Agencies (Wales) Regulations 2005, in regulation 36(4) (gofynion a osodir ar yr asiantaeth fabwysiadu)—

- (a) in sub-paragraph (b), for “Ymddiriedolaeth Gofal Sylfaenol” substitute “grŵp comisiynu clinigol”, and
- (b) after that sub-paragraph insert—
 - “(ba) os yw'r darpar fabwysiadydd yn preswyllo yn Lloegr, hysbysu Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol yn ysgrifenedig o'r lleoliad arfaethedig.”.

Marginal Citations

M82 [S.I. 2005/1313](#) (W. 95). The relevant amending instrument is [S.I. 2010/1142](#) (W. 101).

The Adoption Support Services (Local Authorities) (Wales) Regulations 2005

84.—(1) The English text of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 ^{M83} is amended as follows.

- (2) In regulation 5(1) (provision of services)—
 - (a) after sub-paragraph (d) insert—

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- “(da) a clinical commissioning group, and
(db) the National Health Service Commissioning Board.”, and
(b) omit sub-paragraph (e) (together with the “and” following it).
- (3) In regulation 8(4) (procedure for assessment)—
- (a) in sub-paragraph (a), for “or Primary Care Trust” substitute “ or clinical commissioning group or the National Health Service Commissioning Board ”, and
(b) in the full-out words at the end, for “local health board, NHS trust, Primary Care Trust or local authority” substitute “ board, trust, group or authority ”.
- (4) In regulation 10(3)(b) (plan)—
- (a) in paragraph (i), for “or Primary Care Trust” substitute “ or clinical commissioning group or the National Health Service Commissioning Board ”, and
(b) in the full-out words at the end, for “local health board, NHS Trust or Primary Care Trust or local authority” substitute “ board, trust, group or authority ”.
- (5) In regulation 13(2) (decision to provide support)—
- (a) for “a local health board, NHS Trust, Primary Care Trust” substitute “ a local health board, an NHS Trust, a clinical commissioning group, the National Health Service Commissioning Board ”, and
(b) for “Primary Care Trust” substitute “ clinical commissioning group, National Health Service Commissioning Board ”.
- (6) The Welsh text of the Adoption Support Services (Local Authorities) (Wales) Regulations 2005 is amended as follows.
- (7) In regulation 5(1) (darparu gwasanaethau)—
- (a) after sub-paragraph (ch) insert—
“(cha) grŵp comisiynu clinigol, ac
(chb) Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol.”, and
(b) omit sub-paragraph (d) (together with the “ac” following it).
- (8) In regulation 8(4) (y weithdrefn asesu)—
- (a) in sub-paragraph (a), for “neu Ymddiriedolaeth Gofal Sylfaenol” substitute “neu grŵp comisiynu clinigol neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
(b) in the full-out words at the end, for “bwrdd iechyd lleol hwnnw, yr Ymddiriedolaeth GIG honno, yr Ymddiriedolaeth Gofal Sylfaenol honno neu'r awdurdod lleol hwnnw” substitute “bwrdd hwnnw, yr ymddiriedolaeth honno, y grŵp hwnnw neu'r awdurdod hwnnw”.
- (9) In regulation 10(3)(b) (cynllun)—
- (a) in paragraph (i), for “neu Ymddiriedolaeth Gofal Sylfaenol” substitute “neu grŵp comisiynu clinigol neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
(b) in the full-out words at the end, for “bwrdd iechyd lleol hwnnw, yr Ymddiriedolaeth GIG honno neu'r Ymddiriedolaeth Gofal Sylfaenol honno, neu'r awdurdod lleol hwnnw” substitute “bwrdd hwnnw, yr ymddiriedolaeth honno, y grŵp hwnnw neu'r awdurdod hwnnw”.
- (10) In regulation 13(2) (penderfyniad i ddarparu cymorth)—
- (a) for “fwrdd iechyd lleol, Ymddiriedolaeth GIG, Ymddiriedolaeth Gofal Sylfaenol” substitute “fwrdd iechyd lleol, Ymddiriedolaeth GIG, grŵp comisiynu clinigol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and

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- (b) for “yr Ymddiriedolaeth Gofal Sylfaenol” substitute “grŵp comisiynu clinigol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”.

Marginal Citations

M83 [S.I. 2005/1512](#) (W. 116). The relevant amending instrument is [S.I. 2010/1142](#) (W. 101).

The Special Guardianship (Wales) Regulations 2005

85.—(1) The English text of the Special Guardianship (Wales) Regulations 2005^{M84} is amended as follows.

(2) In regulation 3(3)(b) (provision of special guardianship support services), for “and Primary Care Trusts” substitute “ , clinical commissioning groups and the National Health Service Commissioning Board ”.

(3) In regulation 6(1)(c) (assessment procedure)—

- (a) for “NHS Trust, Primary Care Trust” substitute “ an NHS Trust, a clinical commissioning group, the National Health Service Commissioning Board ”, and
 (b) for “that Board, Trust” substitute “ that Board, Trust, group ”.

(4) In regulation 11(3) (special guardianship support services plan)—

- (a) for “NHS Trust, Primary Care Trust” substitute “ an NHS Trust, a clinical commissioning group, the National Health Service Commissioning Board ”, and
 (b) for “that Board, Trust” substitute “ that Board, Trust, group ”.

(5) The Welsh text of the Special Guardianship (Wales) Regulations 2005 is amended as follows.

(6) In regulation 3(3)(b) (darparu gwasanaethau cymorth gwarcheidiaeth arbennig), for “ac Ymddiriedolaethau Gofal Sylfaenol” substitute “ , grwpiau comisiynu clinigol a Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”.

(7) In regulation 6(1)(c) (y weithdrefn asesu)—

- (a) for “Ymddiriedolaeth GIG, Ymddiriedolaeth Gofal Sylfaenol” substitute “Ymddiriedolaeth GIG, grŵp comisiynu clinigol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 (b) for “Bwrdd hwnnw, yr Ymddiriedolaeth honno” substitute “ Bwrdd hwnnw, yr Ymddiriedolaeth honno, y grŵp hwnnw ”.

(8) In regulation 11(3) (cynllun gwasanaethau cymorth gwarcheidiaeth arbennig)—

- (a) for “Ymddiriedolaeth GIG, Ymddiriedolaeth Gofal Sylfaenol” substitute “Ymddiriedolaeth GIG, grŵp comisiynu clinigol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 (b) for “Bwrdd hwnnw, yr Ymddiriedolaeth honno” substitute “ Bwrdd hwnnw, yr Ymddiriedolaeth honno, y grŵp hwnnw ”.

Marginal Citations

M84 [S.I. 2005/1513](#) (W. 117), to which there are amendments not relevant to this Order.

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The Adoption Support Agencies (Wales) Regulations 2005

86.—(1) The English text of the Adoption Support Agencies (Wales) Regulations 2005 ^{M85} is amended as follows.

(2) In regulation 27 (notifiable events)—

(a) after paragraph (1) insert—

“(1A) If a duty arises under paragraph (1) to give notification in respect of an event to a clinical commissioning group, that duty shall also require notification in respect of that event to be given to the National Health Service Commissioning Board.”, and

(b) in paragraph (3)—

(i) for ““Primary Care Trust”” substitute ““clinical commissioning group””, and

(ii) for “Primary Care Trust” substitute “clinical commissioning group”.

(3) In Schedule 4 (events and notifications), in the table, for “Primary Care Trusts” substitute “clinical commissioning groups”.

(4) The Welsh text of the Adoption Support Agencies (Wales) Regulations 2005 is amended as follows.

(5) In regulation 27 (digwyddiadau hysbysadwy)—

(a) after paragraph (1) insert—

“(1A) Os bydd dyletswydd yn codi o dan baragraff (1) i hysbysu grŵp comisiynu clinigol mewn cysylltiad i½ digwyddiad, bydd y ddyletswydd honno hefyd yn ei gwneud yn ofynnol i Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwlad gael ei hysbysu mewn cysylltiad i½'r digwyddiad hwnnw.”, and

(b) in paragraph (3)—

(i) for “ac “Ymddiriedolaeth Gofal Sylfaenol”” substitute “a “grŵp comisiynu clinigol””, and

(ii) for “Ymddiriedolaeth Gofal Sylfaenol” substitute “grŵp comisiynu clinigol”.

(6) In Schedule 4 (digwyddiadau a hysbysadau), in the table, for “Yr Ymddiriedolaethau Gofal Sylfaenol” substitute “Y grwpiau comisiynu clinigol”.

Marginal Citations

M85 S.I. 2005/1514 (W. 118), to which there are amendments not relevant to this Order.

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005

87.—(1) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005 ^{M86} is amended as follows.

(2) In article 1(2) (interpretation), in the definition of “relevant primary dental services”, for paragraph (a) substitute—

“(a) section 56(2) of the National Health Service (Wales) Act 2006;”.

(3) In article 3 (functions of the Authority)—

(a) after paragraph (f) insert—

“(fa) the examining, checking and pricing of any drug, medicine or appliance (other than a Scheduled drug, within the meaning of the National Health Service (General Medical Services Contracts) Regulations 2004) provided for

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the purposes of immediate treatment or personal administration as part of the provision of primary medical services under Part 4 of the National Health Service Act 2006;”, and

- (b) in paragraph (p), for “Primary Care Trusts” substitute “ the National Health Service Commissioning Board ”.

Marginal Citations

M86 [S.I. 2005/2414](#). The relevant amending instrument is [S.I. 2006/632](#).

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005

88.—(1) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005 ^{M87} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after paragraph (d) insert—

- “(da) the National Institute for Health and Care Excellence,
(db) the Health and Social Care Information Centre,”.

(3) In regulation 3(1)(j) (disqualification for appointment)—

- (a) omit paragraph (i),
(b) after paragraph (iii) insert—
“(iia) the National Institute for Health and Care Excellence,
(iib) the Health and Social Care Information Centre, or”, and
(c) omit paragraph (iv) (together with the “or” following it).

Marginal Citations

M87 [S.I. 2005/2415](#). Relevant amending instruments are [S.I. 2006/633](#) and [S.I. 2012/1641](#).

The NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005

89. In regulation 1(2) of the NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005 ^{M88} (interpretation), in the definition of “health service body”, after paragraph (d) insert—

- “(da) the National Institute for Health and Care Excellence,
(db) the Health and Social Care Information Centre,”.

Marginal Citations

M88 [S.I. 2005/2531](#), to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005

90.—(1) The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005^{M89} are amended as follows.

(2) In regulation 24 (notifiable events)—

(a) after paragraph (1) insert—

“(1A) If a duty arises under paragraph (1) to give notification in respect of an event to a clinical commissioning group, that duty shall also require notification in respect of that event to be given to the National Health Service Commissioning Board.”, and

(b) in paragraph (3), in the definition of “Primary Care Trust”, for “ “Primary Care Trust” means the Primary Care Trust” substitute “ “clinical commissioning group” means the clinical commissioning group ”.

(3) In Schedule 4 (events and notifications), in the table, for “Primary Care Trust” substitute “Clinical commissioning group ”.

Marginal Citations

M89 S.I. 2005/2720, to which there are amendments not relevant to this Order.

The Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005

91.—(1) The Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005^{M90} are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “child” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,

(b) after the definition of “income support” insert—

““local authority” has the same meaning as in section 2B of the National Health Service Act 2006;”,

(c) omit the definition of “NHS foundation trust”, and

(d) omit the definition of “Primary Care Trust”.

[^{F2}(3) In regulation 8A (provision of Healthy Start vitamins)—

(a) in paragraph (1), for sub-paragraph (a) (together with the “and” following it) substitute—

“(a) in relation to England, a clinical commissioning group, a local authority or the National Health Service Commissioning Board, if it provides, or arranges for the provision of, maternity services or a child health clinic;

(aa) in relation to Wales, a NHS trust or Local Health Board that provides a maternity or child health clinic; and”,

(b) in paragraph (2), after “providing” insert “ , or (in the case of a clinical commissioning group or the National Health Service Commissioning Board) arranging for the provision of, ”,

(c) in paragraph (3), after “health service body” insert “ (other than a clinical commissioning group or the National Health Service Commissioning Board) ”,

(d) after that paragraph insert—

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“(3A) The arrangements made by a clinical commissioning group or the National Health Service Commissioning Board under paragraph (2) may be made with a pharmacist or other person or body.”,

- (e) in paragraph (4), after “paragraph (2)” insert “ or (3) ”,
- (f) in paragraph (7), after “health service body”, in the first place where it occurs, insert “ (other than a clinical commissioning group or the National Health Service Commissioning Board) ”, and
- (g) after that paragraph insert—
 - “(8) In the case of a clinical commissioning group—
 - (a) the Secretary of State may pay the clinical commissioning group an amount equal to the cost of the Healthy Start vitamins that the group has secured the provision of to a beneficiary, or
 - (b) that cost may be met from the sums paid to the group under section 223G of the National Health Service Act 2006.
 - (9) In the case of the National Health Service Commissioning Board—
 - (a) the Secretary of State may pay the Board an amount equal to the cost of the Healthy Start vitamins that the Board has secured the provision of to a beneficiary, or
 - (b) that cost may be met from the sums paid to the Board under section 223B of the National Health Service Act 2006.”]

F2 Sch. 2 para. 91(3) revoked (S.) (31.3.2020) by [The Welfare Foods \(Best Start Foods\) \(Scotland\) Regulations 2019 \(S.S.I. 2019/193\)](#), reg. 1(3), **sch. 2**

Marginal Citations

M90 [S.I. 2005/3262](#). The relevant amending instrument is [S.I. 2006/2818](#).

The Health Service Commissioner for England (Special Health Authorities) (No. 2) Order 2005

92. In the Schedule to the Health Service Commissioner for England (Special Health Authorities) (No. 2) Order 2005 ^{M91} (Special Health Authorities designated as subject to investigation), omit the entries relating to the NHS Institute for Innovation and Improvement and the Health and Social Care Information Centre.

Marginal Citations

M91 [S.I. 2005/3428](#).

The Housing Benefit Regulations 2006

93.—(1) The Housing Benefit Regulations 2006 ^{M92} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

“(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,

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- (fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,
 - (fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”
- (3) In Schedule 5 (sums to be disregarded in the calculation of income other than earnings), in paragraph 27—
- (a) after sub-paragraph (d) insert—
 - “(da) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (db) the National Health Service Commissioning Board; or”, and
 - (b) omit sub-paragraph (e) (together with the “or” following it).

Marginal Citations

M92 [S.I. 2006/213](#). Relevant amending instruments are [S.I. 2008/3157](#) and [S.I. 2009/2655](#).

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

94.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 ^{M93} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

- “(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,
 - (fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,
 - (fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”
- (3) In regulation 38(2)(d) (earnings of self-employed earners)—
- (a) after paragraph (iv) insert—
 - “(iva) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ivb) the National Health Service Commissioning Board; or”, and
 - (b) omit paragraph (v) (together with the “or” following it).

Marginal Citations

M93 [S.I. 2006/214](#). Relevant amending instruments are [S.I. 2008/3157](#) and [S.I. 2009/2655](#).

The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006

95.—(1) The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 ^{M94} are amended as follows.

(2) In regulation 2(1) (interpretation)—

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- (a) after the definition of “NHS dispute resolution procedure” insert—
““NHSLA” means the National Health Service Litigation Authority established as a Special Health Authority by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995;”, and
- (b) omit the definition of “NPSA”.
- (3) In regulation 4 (general conditions relating to all agreements), after paragraph (6) insert—
“(7) In this regulation “health service body” includes a Strategic Health Authority and a Primary Care Trust.”
- (4) In Schedule 3 (other contractual terms)—
 - (a) in paragraph 15 (NICE guidance), for “National Institute for Clinical Excellence” substitute “ National Institute for Health and Care Excellence ”,
 - (b) in paragraph 31(b) (appraisal and assessment), for “NPSA” substitute “ NHSLA ”,
 - (c) in paragraph 51(2) (co-operation with investigations), in the definition of “NHS body”, for “a Strategic Health Authority, a Primary Care Trust” substitute “ a clinical commissioning group, the National Health Service Commissioning Board ”, and
 - (d) in paragraph 69 (termination by the Relevant Body on grounds of suitability etc), after sub-paragraph (5) insert—
“(6) In this paragraph “health service body” includes a Strategic Health Authority and a Primary Care Trust.”

Marginal Citations

M94 S.I. 2006/489 (W. 58), to which there are amendments not relevant to this Order.

The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006

96.—(1) The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 ^{M95} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) after the definition of “NHS dispute resolution procedure” insert—
““NHSLA” means the National Health Service Litigation Authority established as a Special Health Authority by the National Health Service Litigation Authority (Establishment and Constitution) Order 1995;”, and
 - (b) omit the definition of “NPSA”.
- (3) In regulation 4 (general prescribed conditions relating to all contracts), after paragraph (6) insert—
“(7) In this regulation “health service body” includes a Strategic Health Authority and a Primary Care Trust.”
- (4) In Schedule 3 (other contractual terms)—
 - (a) in paragraph 14 (NICE guidance), for “National Institute for Clinical Excellence” substitute “ National Institute for Health and Care Excellence ”,
 - (b) in paragraph 30(b) (appraisal and assessment), for “NPSA” substitute “ NHSLA ”,
 - (c) in paragraph 51(2) (co-operation with investigations), in the definition of “NHS body”, for “a Strategic Health Authority, a Primary Care Trust” substitute “ a clinical commissioning group, the National Health Service Commissioning Board ”, and

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- (d) in paragraph 71 (termination by the Local Health Board on grounds of suitability etc), after sub-paragraph (5) insert—

“(6) In this paragraph “health service body” includes a Strategic Health Authority and a Primary Care Trust.”

Marginal Citations

M95 [S.I. 2006/490](#) (W. 59), to which there are amendments not relevant to this Order.

The National Health Service (Dental Charges) (Wales) Regulations 2006

97.—(1) The National Health Service (Dental Charges) (Wales) Regulations 2006 ^{M96} are amended as follows.

- (2) In regulation 2(1) (interpretation)—

- (a) in the definition of “relevant Local Health Board”, in paragraph (ii), omit “Primary Care Trust or”, and
- (b) in the definition of “relevant primary dental services”, in paragraph (i), omit “Primary Care Trust or”.

(3) In regulation 12(2) (reduction of remuneration and accounting for charges in relation to providers of relevant primary dental services), omit “Primary Care Trust or”.

Marginal Citations

M96 [S.I. 2006/491](#) (W. 60), to which there are amendments not relevant to this Order.

The Highways Act 1980 (Gating Orders) (England) Regulations 2006

98. In regulation 2 of the Highways Act 1980 (Gating Orders) (England) Regulations 2006 ^{M97} (interpretation), in the definition of “NHS trust or NHS foundation trust”, omit “, Primary Care Trust”.

Marginal Citations

M97 [S.I. 2006/537](#).

The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (General) Regulations 2006

99. In regulation 3 of the Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (General) Regulations 2006 ^{M98} (meaning of NHS body)—

- (a) in paragraph (1)—

(i) omit sub-paragraph (a),

- (ii) after sub-paragraph (b) insert—

“(ba) a clinical commissioning group;

(bb) the National Health Service Commissioning Board;

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- (bc) a local authority (within the meaning of section 2B of the National Health Service Act 2006) acting in the exercise of public health functions (within the meaning of that Act);” and
- (iii) omit sub-paragraph (c).
- (b) in paragraph (2)—
 - (i) after the definition of “Care Trust” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (ii) omit the definitions of “Primary Care Trust” and “Strategic Health Authority”.

Marginal Citations

M98 [S.I. 2006/1832](#).

The Crime and Disorder Act 1998 (Intervention Orders) Order 2006

100. In article 2(1) of the Crime and Disorder Act 1998 (Intervention Orders) Order 2006 ^{M99} (persons to be consulted by relevant authority)—

- (a) after sub-paragraph (a) insert—
 - “(aa) a clinical commissioning group;
 - (ab) the National Health Service Commissioning Board;”, and
- (b) omit sub-paragraph (b).

Marginal Citations

M99 [S.I. 2006/2138](#).

The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Expansion of Role) Regulations 2006

101. In regulation 1(4) of the Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Expansion of Role) Regulations 2006 ^{M100} (interpretation), in the definition of “NHS body”—

- (a) omit paragraph (a),
- (b) after paragraph (b) insert—
 - “(ba) a clinical commissioning group;
 - (bb) the National Health Service Commissioning Board;”, and
- (c) omit paragraph (c).

Marginal Citations

M100 [S.I. 2006/2883](#).

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The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006

102. In regulation 2(1) of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006 ^{M101} (interpretation), in the definition of “equivalent body”—

- (a) in paragraph (a), for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”, and
- (b) after paragraph (c) insert—
 - “(ca) in relation to any time prior to 1st April 2013 and after 30th September 2002, a Primary Care Trust in England;”.

Marginal Citations

M101 [S.S.I. 2006/135](#), to which there are amendments not relevant to this Order.

The National Health Service Central Register (Scotland) Regulations 2006

103.—(1) The National Health Service Central Register (Scotland) Regulations 2006 ^{M102} are amended as follows.

(2) In Schedule 1 (additional information which may be contained in an entry in, and obtained from persons or places to create and maintain, the register), in the table, in entry 8, in column (1), for “Health and Social Care Information Centre” substitute “ Health and Social Care Information Centre established under section 252 of the Health and Social Care Act 2012 ”.

(3) In Schedule 2 (information which may be provided from the register and persons to whom it may be provided), in the table, in entry 3, in column (2), for “Health and Social Care Information Centre” substitute “ Health and Social Care Information Centre established under section 252 of the Health and Social Care Act 2012 ”.

Marginal Citations

M102 [S.S.I. 2006/484](#). The relevant amending instrument is [S.S.I. 2008/358](#).

The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007

104.—(1) The English text of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 ^{M103} is amended as follows.

(2) In regulation 2(1) (interpretation), omit the definition of “Primary Care Trust” (“*Ymddiriedolaeth Gofal Sylfaenol*”).

(3) In regulation 11(3)(b) (entitlement cards), for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”.

(4) The Welsh text of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 is amended as follows.

(5) In regulation 2(1) (dehongli), omit the definition of “*Ymddiriedolaeth Gofal Sylfaenol*” (“*Primary Care Trust*”).

(6) In regulation 11(3)(b) (cardiau hawl), for “*gydag Ymddiriedolaeth Gofal Sylfaenol*” substitute “*gyda Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol*”.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

Marginal Citations

M103 S.I. 2007/121 (W. 11), to which there are amendments not relevant to this Order.

The Placement of Children (Wales) Regulations 2007

105.—(1) The English text of the Placement of Children (Wales) Regulations 2007 ^{M104} is amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “health care provider” (“*darparrydd gofal iechyd*”), for “primary care trust” substitute “clinical commissioning group”.

(3) In regulation 6(1) (notification of arrangements), after sub-paragraph (b) insert—

“(ba) the National Health Service Commissioning Board if the child is ordinarily resident, or is to be placed, in England;”.

(4) The Welsh text of the Placement of Children (Wales) Regulations 2007 is amended as follows.

(5) In regulation 2(1) (*dehongli*), in the definition of “*darparrydd gofal iechyd*” (“*health care provider*”), for “*ymddiriedolaeth gofal sylfaenol*” substitute “*grŵp comisiynu clinigol*”.

(6) In regulation 6(1) (*hysbysiad o drefniadau*), after sub-paragraph (b) insert—

“(ba) Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol os yw'r plentyn yn preswyllo fel arfer yn Lloegr, neu os yw'r plentyn i gael ei leoli yno;”.

Marginal Citations

M104 S.I. 2007/310 (W. 27). The relevant amending instrument is **S.I. 2010/1142** (W. 101).

The NHS Direct National Health Service Trust (Establishment) Order 2007

106. In article 1(2) of the NHS Direct National Health Service Trust (Establishment) Order 2007 ^{M105} (interpretation), in the definition of “NHS Bodies”—

(a) for “Strategic Health Authorities,” substitute “the National Health Service Commissioning Board,”

(b) for “Primary Care Trusts,” substitute “clinical commissioning groups,” and

(c) after “2006 Act” insert “, and local authorities (within the meaning of section 2B of the 2006 Act) acting in the exercise of public health functions (within the meaning of that Act)”.

Marginal Citations

M105 S.I. 2007/478, to which there are amendments not relevant to this Order.

The School Governance (Constitution) (England) Regulations 2007

107. In the School Governance (Constitution) (England) Regulations 2007 ^{M106} (so far as those Regulations continue to apply by virtue of regulation 4(2) of the School Governance (Constitution) (England) Regulations 2012 ^{M107}), in Schedule 3 (appointment of community governors at community special schools and foundation special schools), in paragraph 2—

(a) in sub-paragraph (1), for paragraph (a) (together with the “or” following it) substitute—

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- “(a) one or more clinical commissioning groups,
- (aa) the National Health Service Commissioning Board, or”, and
- (b) in sub-paragraph (3)—
 - (i) before the definition of “National Health Service Trust” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (ii) omit the definition of “primary care trust” and the “and” immediately preceding it.

Marginal Citations

M106 [S.I. 2007/957](#).
M107 [S.I. 2012/1034](#).

The School Governance (New Schools) (England) Regulations 2007

108. In Schedule 1 to the School Governance (New Schools) (England) Regulations 2007 ^{M108} (appointment of temporary community governors at community special schools or foundation special schools), in paragraph 2—

- (a) in sub-paragraph (1)(a), for sub-paragraph (i) substitute—
 - “(i) one or more clinical commissioning groups;
 - (ia) the National Health Service Commissioning Board;”, and
- (b) in sub-paragraph (2)—
 - (i) before the definition of “National Health Service Trust” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (ii) omit the definition of “primary care trust” and the “and” immediately preceding it.

Marginal Citations

M108 [S.I. 2007/958](#), to which there are amendments not relevant to this Order.

The School Governance (Federations) (England) Regulations 2007

109. In the School Governance (Federations) (England) Regulations 2007 ^{M109} (so far as those Regulations continue to apply by virtue of regulation 4(1) of the School Governance (Federations) (England) Regulations 2012 ^{M110}), in Schedule 4 (appointment of community governors in federations which include community special schools), in paragraph 2—

- (a) in sub-paragraph (1), for paragraph (a) substitute—
 - “(a) one or more clinical commissioning groups,
 - (aa) the National Health Service Commissioning Board;”, and
- (b) in sub-paragraph (3)—
 - (i) before the definition of “National Health Service Trust” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

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(ii) omit the definition of “primary care trust” and the “and” immediately preceding it.

Marginal Citations

M109 [S.I. 2007/960](#), to which there are amendments not relevant to this Order.

M110 [S.I. 2012/1035](#).

The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007

110.—(1) The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 ^{M111} are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “Accessibility Strategy” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

(b) omit the definition of “Primary Care Trust”.

(3) In regulation 5(1)(i)(i) (manner of publication of a competition notice), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

(4) In regulation 10(6)(g) (promotion of public awareness), for “the relevant Primary Care Trust,” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group, ”.

(5) In regulation 13(5)(e) (manner in which local authority or proposers must publish details of proposals under sections 10 and 11), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

(6) In regulation 15(3)(f)(i) (manner in which local authority or governing body must submit and publish details of discontinuance proposals), for “the relevant Primary Care Trust,” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group, ”.

(7) In regulation 25(1)(g)(i) (provision for notification of decisions), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

Marginal Citations

M111 [S.I. 2007/1288](#), to which there are amendments not relevant to this Order.

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007

111.—(1) The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ^{M112} are amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “Children and Young People's Plan” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

(b) omit the definition of “Primary Care Trust”.

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- (3) In Schedule 1 (foundation proposals)—
- (a) in paragraph 5(2)(a) (consultation on proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”, and
 - (b) in paragraph 7(a) (manner of publication of proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.
- (4) In Schedule 3 (governing body proposals for alterations other than foundations proposals)—
- (a) in paragraph 27(2)(a) (consultation on proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”,
 - (b) in paragraph 28(4)(a) (manner of publication of proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”, and
 - (c) in paragraph 34(1)(g)(i) (provision for notification of decisions), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.
- (5) In Schedule 5 (local authority proposals for prescribed alterations)—
- (a) in paragraph 27(2)(a) (consultation on proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”,
 - (b) in paragraph 28(5)(a) (manner of publication of proposals), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”, and
 - (c) in paragraph 34(1)(g)(i) (provision for notification of decisions), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

Marginal Citations

M112 S.I. 2007/1289, to which there are amendments not relevant to this Order.

The Health Service Medicines (Information Relating to Sales of Branded Medicines etc) Regulations 2007

112. In regulation 2(1) of the Health Service Medicines (Information Relating to Sales of Branded Medicines etc) Regulations 2007 ^{M113} (interpretation)—

- (a) in the definition of “health service body”, in paragraph (a), omit “Strategic Health Authority,” and “Primary Care Trust,” and
- (b) in the definition of “PMS contractor”, in paragraph (a), for “Strategic Health Authorities” substitute “ the Board ”.

Marginal Citations

M113 S.I. 2007/1320, to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The School Organisation (Transitional Provisions) (England) Regulations 2007

113.—(1) The School Organisation (Transitional Provisions) (England) Regulations 2007 ^{M114} are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) after the definition of “the Change of Category Regulations” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and

(b) omit the definition of “Primary Care Trust”.

(3) In regulation 17(1)(g) (provision of information), for “the relevant Primary Care Trust,” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group, ”.

(4) In regulation 18(10)(h)(i) (requirement to implement proposals, revocation and modification), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

(5) In regulation 28(1)(g)(i) (provision for notification of decisions), for “the relevant Primary Care Trust” substitute “ the National Health Service Commissioning Board and the relevant clinical commissioning group ”.

Marginal Citations

M114 [S.I. 2007/1355](#), to which there are amendments not relevant to this Order.

The Community Drivers' Hours and Recording Equipment Regulations 2007

114. In paragraph 1(3) of the Schedule to the Community Drivers' Hours and Recording Equipment Regulations 2007 ^{M115} (exempted vehicles), in the definition of “relevant NHS body”, in paragraph (a), for “a Strategic Health Authority, a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, a clinical commissioning group, ”.

Marginal Citations

M115 [S.I. 2007/1819](#), to which there are amendments not relevant to this Order.

The Crime and Disorder (Prescribed Information) Regulations 2007

115.—(1) The Crime and Disorder (Prescribed Information) Regulations 2007 ^{M116} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “hospital”, for “Primary Care Trust” substitute “ clinical commissioning group, the National Health Service Commissioning Board ”.

(3) In the Schedule (description of information)—

(a) in paragraph 9—

(i) for “Primary Care Trust” substitute “ clinical commissioning group ”, and

(ii) after “within the area” insert “ , or by the National Health Service Commissioning Board, ”,

(b) in paragraph 10—

(i) for “Primary Care Trust” substitute “ clinical commissioning group ”, and

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- (ii) after “within the area” insert “ , or by the National Health Service Commissioning Board, ”,
- (c) in paragraph 11—
 - (i) for “Primary Care Trust or Local Health Board” substitute “ clinical commissioning group, Local Health Board or local authority (within the meaning of section 2B of the National Health Service Act 2006) acting in the exercise of public health functions (within the meaning of that Act), ”, and
 - (ii) after “within the area” insert “ , or by the National Health Service Commissioning Board, ”, and
- (d) in paragraph 12—
 - (i) for “Primary Care Trust” substitute “ clinical commissioning group ”, and
 - (ii) after “within the area” insert “ , or by the National Health Service Commissioning Board, ”.

Marginal Citations

M116 S.I. 2007/1831, to which there are amendments not relevant to this Order.

The Employment and Support Allowance Regulations 2008

116.—(1) The Employment and Support Allowance Regulations 2008 ^{M117} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “service user group”, after paragraph (f) insert—

- “(fa) the National Institute for Health and Care Excellence in consequence of a function under Part 8 of the Health and Social Care Act 2012,
- (fb) a clinical commissioning group in consequence of a function under section 14Z2 of the National Health Service Act 2006,
- (fc) the National Health Service Commissioning Board in consequence of a function under section 13Q of the National Health Service Act 2006.”

(3) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings), in paragraph 29—

- (a) after sub-paragraph (d) insert—
 - “(da) a clinical commissioning group;
 - (db) the National Health Service Commissioning Board; or”, and
- (b) omit sub-paragraph (e) (together with the “or” following it).

Marginal Citations

M117 S.I. 2008/794. The relevant amending instrument is **S.I. 2009/2655**.

The Mental Health (Hospital, Guardianship and Treatment) (England) Regulations 2008

117.—(1) The Mental Health (Hospital, Guardianship and Treatment) (England) Regulations 2008 ^{M118} are amended as follows.

(2) In regulation 7(5)(b) (transfer from hospital to hospital or guardianship)—

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- (a) for “Strategic Health Authority,” substitute “ clinical commissioning group, ”,
 - (b) omit “Primary Care Trust,”,
 - (c) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and
 - (d) for “authority, board or trust”, in each place where it occurs, substitute “ group, board, trust or authority ”.
- (3) In regulation 9(6) (transfer of community patients recalled to hospital)—
- (a) for “Strategic Health Authority,” substitute “ clinical commissioning group, ”,
 - (b) omit “Primary Care Trust,”,
 - (c) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and
 - (d) for “authority, board or trust”, in each place where it occurs, substitute “ group, board, trust or authority ”.
- (4) In regulation 17(5) (assignment of responsibility for community patients)—
- (a) for “Strategic Health Authority,” substitute “ clinical commissioning group, ”,
 - (b) omit “Primary Care Trust,”,
 - (c) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and
 - (d) for “authority, board or trust” substitute “ group, board, trust or authority ”.
- (5) In regulation 31(1) (patient advocacy and liaison services and independent mental capacity advocate services), for sub-paragraph (c), and the “or” immediately preceding it, substitute—
- “(c) a clinical commissioning group, or
 - (d) the National Health Service Commissioning Board.”

Marginal Citations

M118 S.I. 2008/1184, to which there are amendments not relevant to this Order.

The Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008

118.—(1) The Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008 ^{M119} are amended as follows.

(2) In the heading to Part 6, for “Supervisory Bodies: Care Homes” substitute “ Supervisory Bodies: Care Homes and Hospitals ”.

(3) In regulation 17(1)(a) (application and interpretation of Part 6)—

- (a) in paragraph (i), after “care home” insert “ or hospital ”, and
- (b) in paragraph (ii), after “care home” insert “ or hospital ”.

Marginal Citations

M119 S.I. 2008/1858, to which there are amendments not relevant to this Order. “Hospital” is defined in paragraph 175(1) of Schedule A1 to the [Mental Capacity Act 2005 \(2005 c. 9\)](#). That Schedule was inserted by section 50(5) of, and Schedule 7 to, the [Mental Health Act 2007 \(2005 c. 12\)](#).

The Private Dentistry (Wales) Regulations 2008

119.—(1) The English text of the Private Dentistry (Wales) Regulations 2008 ^{M120} is amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “dental performers list” (“*rhestr perfformwyr deintyddol*”)—

(a) for “Primary Care Trust” substitute “ the National Health Service Commissioning Board ”, and

(b) for “regulation 3(1)(b) of the National Health Service (Performers Lists) Regulations 2004” substitute “ regulations under section 106 of the National Health Service Act 2006 ”.

(3) In regulation 5(2)(l) (information and documents to be provided by an applicant), for “Primary Care Trust” substitute “ National Health Service Commissioning Board ”.

(4) The Welsh text of the Private Dentistry (Wales) Regulations 2008 is amended as follows.

(5) In regulation 2(1) (dehongli), in the definition of “*rhestr perfformwyr deintyddol*” (“*dental performers list*”)—

(a) for “Ymddiriedolaeth Gofal Sylfaenol” substitute “Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and

(b) for “reoliad 3(1)(b) o Reoliadau'r Gwasanaeth Iechyd Gwladol (Rhestr i'r Perfformwyr) 2004” substitute “ reoliadau o dan adran 106 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006 ”.

(6) In regulation 5(2)(h) (gwybodaeth a dogfennau sydd i'w darparu gan geisydd), for “neu'r Ymddiriedolaeth Gofal Sylfaenol” substitute “neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”.

Marginal Citations

M120 S.I. 2008/1976 (W. 185), to which there are amendments not relevant to this Order.

The Mental Health (Hospital, Guardianship, Community Treatment and Consent to Treatment) (Wales) Regulations 2008

120.—(1) The English text of the Mental Health (Hospital, Guardianship, Community Treatment and Consent to Treatment) (Wales) Regulations 2008 ^{M121} is amended as follows.

(2) In regulation 23(6)(b) (transfer from hospital to hospital or guardianship)—

(a) for “Strategic Health Authority, Primary Care Trust,” substitute “ clinical commissioning group, ”,

(b) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and

(c) for “trust, board or authority” substitute “ trust, board, group or authority ”.

(3) In regulation 25(5) (assignment of responsibility for community patients)—

(a) for “Strategic Health Authority, Primary Care Trust,” substitute “ clinical commissioning group, ”,

(b) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and

(c) for “trust, board or authority,” substitute “ trust, board, group or authority, ”.

(4) In regulation 26(6) (transfer of recalled patients to hospital) —

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- (a) for “Strategic Health Authority, Primary Care Trust,” substitute “ clinical commissioning group, ”,
 - (b) after “Special Health Authority” insert “ , the National Health Service Commissioning Board ”, and
 - (c) for “trust, board or authority,” substitute “ trust, board, group or authority, ”.
- (5) The Welsh text of the Mental Health (Hospital, Guardianship, Community Treatment and Consent to Treatment) (Wales) Regulations 2008 is amended as follows.
- (6) In regulation 23(6)(b) (trosglwyddo o ysbyty i ysbyty neu warcheidiaeth)—
- (a) for “Awdurdod Iechyd Strategol, Ymddiriedolaeth Gofal Sylfaenol,” substitute “ grŵp comisiynu clinigol, ”,
 - (b) after “Awdurdod Iechyd Arbennig” insert “, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 - (c) for “ymddiriedolaeth honno, i'r bwrdd hwnnw, neu i'r awdurdod hwnnw” substitute “ymddiriedolaeth honno, i'r bwrdd hwnnw, i'r grŵp hwnnw, neu i'r awdurdod hwnnw”.
- (7) In regulation 25(5) (aseinio cyfrifoldeb dros gleifion cymunedol)—
- (a) for “Awdurdod Iechyd Strategol, Ymddiriedolaeth Gofal Sylfaenol,” substitute “ grŵp comisiynu clinigol, ”,
 - (b) after “Awdurdod Iechyd Arbennig” insert “, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 - (c) for “ymddiriedolaeth honno, i'r bwrdd hwnnw, neu i'r awdurdod hwnnw” substitute “ymddiriedolaeth honno, i'r bwrdd hwnnw, i'r grŵp hwnnw, neu i'r awdurdod hwnnw”.
- (8) In regulation 26(6) (trosglwyddo cleifion a alwyd yn eu hi¹/₂ i'r ysbyty) —
- (a) for “Awdurdod Iechyd Strategol, Ymddiriedolaeth Gofal Sylfaenol,” substitute “ grŵp comisiynu clinigol, ”,
 - (b) after “Awdurdod Iechyd Arbennig” insert “, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 - (c) for “ymddiriedolaeth honno, i'r bwrdd hwnnw, neu i'r awdurdod hwnnw” substitute “ymddiriedolaeth honno, i'r bwrdd hwnnw, i'r grŵp hwnnw, neu i'r awdurdod hwnnw”.

Marginal Citations

M121 S.I. 2008/2439 (W. 212), to which there are amendments not relevant to this Order.

The Mental Health Review Tribunal for Wales Rules 2008

- 121.**—(1) The Mental Health Review Tribunal for Wales Rules 2008^{M122} are amended as follows.
- (2) In rule 2(1) (interpretation), in the definition of “responsible authority”, omit paragraph (d).
 - (3) In rule 16 (notice of proceedings), omit paragraph (d) (but not the “and” following it).
 - (4) In the Schedule (statements by the responsible authority and the Secretary of State), omit paragraph 16.

Marginal Citations

M122 S.I. 2008/2705, to which there is an amendment not relevant to this Order.

The Health Protection (Vaccination) Regulations 2009

122. In regulation 1(3) of the Health Protection (Vaccination) Regulations 2009 ^{M123} (interpretation), omit the definition of “Primary Care Trust” (but not the “and” following it).

Marginal Citations

M123 S.I. 2009/38.

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009

123.—(1) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 ^{M124} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
- (a) in the definition of “general dental services contractor”, for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”,
 - (b) in the definition of “general medical services contractor”, for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”,
 - (c) in the definition of “general ophthalmic services contractor”, for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”,
 - (d) in the definition of “NHS body”—
 - (i) omit paragraph (a),
 - (ii) after paragraph (b) insert—
 - “(ba) a clinical commissioning group;
 - (bb) the National Health Service Commissioning Board;”, and
 - (iii) omit paragraph (c), and
 - (e) in the definition of “primary care provider”, in paragraph (b), for “83(2)(b)” substitute “ 83(2) ”.
- (3) In regulation 6(1) (duty to handle complaints), after sub-paragraph (b) insert—
- “(ba) a clinical commissioning group or the National Health Service Commissioning Board about the exercise by it of any functions in pursuance of arrangements made under section 7A of the National Health Service Act 2006;”.
- (4) In regulation 7 (complaints about the provision of health services)—
- (a) in paragraph (1)(a)—
 - (i) for “Primary Care Trust” substitute “ clinical commissioning group or the National Health Service Commissioning Board ”, and
 - (ii) for “1st April 2009” substitute “ 1st April 2013 ”,
 - (b) in paragraph (1)(b), for “Primary Care Trust” substitute “ group or Board ”,
 - (c) in paragraph (3)—
 - (i) for “Primary Care Trust”, in the first place where it occurs, substitute “ clinical commissioning group or the National Health Service Commissioning Board ”,
 - (ii) in sub-paragraph (a), for “Primary Care Trust” substitute “ group or Board ”, and
 - (iii) in sub-paragraph (b), for “Primary Care Trust” substitute “ group or Board ”,
 - (d) in paragraph (4)—

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- (i) for “Primary Care Trust”, in the first place where it occurs, substitute “ clinical commissioning group or National Health Service Commissioning Board ”, and
- (ii) for “Primary Care Trust”, in the second place where it occurs, substitute “ group or Board ”, and
- (e) in paragraph (5) —
 - (i) for “Primary Care Trust”, in the first place where it occurs, substitute “ clinical commissioning group or National Health Service Commissioning Board ”, and
 - (ii) in sub-paragraph (a), for “Primary Care Trust” substitute “ group or Board ”.
- (5) In regulation 13(5)(a) (procedure before investigation), for “Primary Care Trust” substitute “ clinical commissioning group or National Health Service Commissioning Board ”.
- (6) In regulation 18 (annual reports)—
 - (a) in paragraph (4)—
 - (i) in sub-paragraph (a), for “Primary Care Trust” substitute “ clinical commissioning group or the National Health Service Commissioning Board ”, and
 - (ii) in the full-out words, for “Primary Care Trust” substitute “ clinical commissioning group or the National Health Service Commissioning Board ”,
 - (b) in paragraph (5), for “Primary Care Trust” substitute “ clinical commissioning group or National Health Service Commissioning Board ”,
 - (c) omit paragraph (6), and
 - (d) in paragraph (7) omit “or (6)”.

Marginal Citations

M124 S.I. 2009/309, to which there are amendments not relevant to this Order.

The Health and Social Care Act 2008 (Commencement No. 9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009

124.—(1) The Health and Social Care Act 2008 (Commencement No. 9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009^{M125} is amended as follows.

- (2) Omit article 13 (transitory provisions relating to the Health Protection Agency).
- (3) In Schedule 3 (transitory etc provision), in paragraph 2 (annual reviews), omit sub-paragraphs (2) and (3).

Marginal Citations

M125 S.I. 2009/462, to which there are amendments not relevant to this Order.

The General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009

125. In the Schedule to the General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009^{M126} (the Rules), omit paragraph 2 (Appointments Commission).

Marginal Citations

M126 S.I. 2009/468, to which there are amendments not relevant to this Order.

The Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009

126.—(1) The English text of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009^{M127} is amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “Board’s area” (“*ardal y Bwrdd*”) insert—

““former health service body” (“*cyn gorff gwasanaeth iechyd*”) means a Strategic Health Authority or Primary Care Trust;”, and

(b) in the definition of “health service body” (“*corff gwasanaeth iechyd*”)—

(i) after “National Health Service Commissioning Board,” insert “ the National Institute for Health and Care Excellence, the Health and Social Care Information Centre, ”,

(ii) omit “Strategic Health Authority;”, and

(iii) for “NHS Foundation Trust or Primary Care Trust” substitute “ or NHS Foundation Trust ”.

(3) In Schedule 2 (eligibility requirements for members and associate members), in paragraph 1—

(a) in sub-paragraph (2)(c), after “health service body” insert “ or former health service body ”,

(b) in sub-paragraph (2)(d)—

(i) after “clinical commissioning group” insert “ or of a former health service body ”, and

(ii) for “the health service body” substitute “ the body ”, and

(c) in sub-paragraph (4), after “clinical commissioning group”, in the first place where it occurs, insert “ or of a former health service body ”.

(4) The Welsh text of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009 is amended as follows.

(5) In regulation 2 (*dehongli*)—

(a) after the definition of “*cyfnod cysgodol*” (“*shadow period*”) insert—

“*ystyr “cyn gorff gwasanaeth iechyd” (“former health service body”) yw Awdurdod Iechyd Strategol neu Ymddiriedolaeth Gofal Sylfaenol;”, and*

(b) in the definition of “*corff gwasanaeth iechyd*” (“*health service body*”)—

(i) after “*Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol,*” insert “ *y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal, y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol,* ”,

(ii) omit “*Awdurdod Iechyd Strategol,*”, and

(iii) for “*Ymddiriedolaeth Sefydledig GIG neu Ymddiriedolaeth Gofal Sylfaenol*” substitute “ *neu Ymddiriedolaeth Sefydledig GIG* ”.

(6) In Schedule 2 (*y meini prawf cymhwystra ar gyfer aelodau ac aelodau cyswllt*), in paragraph 1—

(a) in sub-paragraph (2)(c), after “*chorff gwasanaeth iechyd*” insert “ *neu gyn gorff gwasanaeth iechyd* ”,

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- (b) in sub-paragraph (2)(ch)—
 - (i) after “grŵp comisiynu clinigol” insert “ neu gyn gorff gwasanaeth iechyd ”, and
 - (ii) for “corff gwasanaeth iechyd” substitute “ corff ”, and
- (c) in sub-paragraph (4), after “grŵp comisiynu clinigol”, in the first place where it occurs, insert “ neu gyn gorff gwasanaeth iechyd ”.

Marginal Citations

M127 S.I. 2009/779 (W. 67). The relevant amending instrument is **S.I. 2012/1641**.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009

127. In Schedule 2 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 ^{M128} (radiological emergencies), in paragraph 4(2)(d), for the words from “the Health Protection Agency” to the end substitute “ the Secretary of State pursuant to the Secretary of State’s functions under section 58 of the Health and Social Care Act 2012 ”.

Marginal Citations

M128 S.I. 2009/1348, to which there are amendments not relevant to this Order.

The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009

128.—(1) The English text of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 ^{M129} is amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) after the definition of “executive director” (“*cyfarwyddwr gweithredol*”) insert—
 - ““former health service body” (“*cyn gorff gwasanaeth iechyd*”) means a Strategic Health Authority or Primary Care Trust;”, and
 - (b) in the definition of “health service body” (“*corff gwasanaeth iechyd*”)—
 - (i) in paragraph (a), omit “a Strategic Health Authority;” and “a Primary Care Trust;”, and
 - (ii) after paragraph (e) insert—
 - “(f) the National Institute for Health and Care Excellence;
 - (g) the Health and Social Care Information Centre;”.
- (3) In regulation 15 (disqualification for appointment of chair and non-executive directors)—
 - (a) in paragraph (1)(c), after “health service body” insert “ or former health service body ”,
 - (b) in paragraph (1)(d)—
 - (i) after “clinical commissioning group” insert “ or of a former health service body ”, and
 - (ii) in paragraph (i), for “the health service body” substitute “ the body ”, and
 - (c) in paragraph (3)(c)—
 - (i) after “other health service body” insert “ or a former health service body ”, and

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- (ii) for “the health service body” substitute “ the body ”.
- (4) The Welsh text of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 is amended as follows.
- (5) In regulation 1(2) (dehongli)—
- (a) after the definition of “cyfarwyddwr gweithredol” (“*executive director*”) insert—
- “ystyr “cyn gorff gwasanaeth iechyd” (“*former health service body*”) yw Awdurdod Iechyd Strategol neu Ymddiriedolaeth Gofal Sylfaenol;”, and
- (b) in the definition of “corff gwasanaeth iechyd” (“*health service body*”)—
- (i) in paragraph (a), omit “Awdurdod Iechyd Strategol,” and “Ymddiriedolaeth Gofal Sylfaenol;”, and
- (ii) after paragraph (d) insert—
- “(dd) y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal;
- (e) y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol;”.
- (6) In regulation 15 (datgymhwysio rhag penodi cadeirydd a chyfarwyddwyr anweithredol)—
- (a) in paragraph (1)(c), after “chorff gwasanaeth iechyd” insert “ neu gyn gorff gwasanaeth iechyd ”,
- (b) in paragraph (1)(ch)—
- (i) after “corff gwasanaeth iechyd” insert “ ac eithrio grŵp comisiynu clinigol neu gyn gorff gwasanaeth iechyd ”, and
- (ii) in paragraph (i), for “i'r corff gwasanaeth iechyd” substitute “i'r corff”, and
- (c) in paragraph (3)(c)—
- (i) after “corff gwasanaeth iechyd arall” insert “ neu gyn gorff gwasanaeth iechyd ”, and
- (ii) for “y corff gwasanaeth iechyd” substitute “ y corff ”.

Marginal Citations

M129 S.I. 2009/1385 (W. 141). The relevant amending instrument is S.I. 2012/1641.

The Local Health Boards (Directed Functions) (Wales) Regulations 2009

129.—(1) In the English text of the Local Health Boards (Directed Functions) (Wales) Regulations 2009^{M130}, in regulation 3(2)(a) (exception to regulation 2(2)), for “Primary Care Trust” substitute “ clinical commissioning group ”.

(2) In the Welsh text of the Local Health Boards (Directed Functions) (Wales) Regulations 2009, in regulation 3(2)(a) (eithriad i reoliad 2(2)), for “Ymddiriedolaeth Gofal Sylfaenol” substitute “ grŵp comisiynu clinigol ”.

Marginal Citations

M130 S.I. 2009/1511 (W. 147).

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The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009

130. In regulation 3(6) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009 ^{M131} (prescribed persons)—

- (a) after sub-paragraph (a) insert—
 - “(aa) clinical commissioning groups;
 - (ab) the National Health Service Commissioning Board;”, and
- (b) omit paragraph (b).

Marginal Citations

M131 S.I. 2009/1563, to which there are amendments not relevant to this Order.

The Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009

131. In regulation 2 of the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009 ^{M132} (interpretation), in the definition of “health authority”, for paragraph (a) substitute—

- “(a) in relation to England, a clinical commissioning group established under section 14D of the National Health Service Act 2006, the National Health Service Commissioning Board or Public Health England, an executive agency of the Department of Health;”.

Marginal Citations

M132 S.I. 2009/1927.

The Welsh Health Specialised Services Committee (Wales) Regulations 2009

132.—(1) In the English text of the Welsh Health Specialised Services Committee (Wales) Regulations 2009 ^{M133}, in regulation 2 (interpretation), in the definition of “health service body” (“*corff gwasanaeth iechyd*”), after “National Health Service Commissioning Board,” insert “ the National Institute for Health and Care Excellence, the Health and Social Care Information Centre, ”.

(2) In the Welsh text of the Welsh Health Specialised Services Committee (Wales) Regulations 2009, in regulation 2 (dehongli), in the definition of “*corff gwasanaeth iechyd*” (“*health service body*”), after “*Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol,*” insert “ *y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal, y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol,* ”.

Marginal Citations

M133 S.I. 2009/3097 (W. 270). The relevant amending instrument is S.I. 2012/1641.

The Private Water Supplies Regulations 2009

^{F3}133.

F3 Sch. 2 para. 133 revoked (27.6.2016) by [The Private Water Supplies \(England\) Regulations 2016 \(S.I. 2016/618\)](#), [regs. 1\(1\), 23\(3\)](#) (with [reg. 3](#))

The Care Quality Commission (Registration) Regulations 2009

134.—(1) The Care Quality Commission (Registration) Regulations 2009 ^{M134} are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “health service body”, for “NHS Blood and Transplant or the Health Protection Agency” substitute “ or NHS Blood and Transplant ”, and
- (b) after that definition insert—

““local authority” has the same meaning as in section 2B of the National Health Service Act 2006;”.

(3) In regulation 9 (notification to Primary Care Trust, English local authority and Strategic Health Authority)—

- (a) for the heading substitute “ Notification ”,
- (b) in paragraph (1), for “Primary Care Trust” substitute “ clinical commissioning group ”,
- (c) in paragraph (2), for “Primary Care Trust” substitute “ clinical commissioning group ”,
- (d) in paragraph (4), for “Primary Care Trust”, in each place where it occurs, substitute “ clinical commissioning group ”,
- (e) in paragraph (6)(a), for “Primary Care Trust”, in each place where it occurs, substitute “ clinical commissioning group ”,
- (f) after paragraph (6) insert—

“(6A) Notice of an application under section 30(1) of the Act must be given to the National Health Service Commissioning Board under section 30(3)(za) of the Act if the application is in respect of a regulated activity that involves, or is connected, with the provision of health care.

(6B) A copy of a notice must be given to the National Health Service Commissioning Board under section 39(1)(za) of the Act if the notice is in respect of a regulated activity that involves, or is connected, with the provision of health care.”, and
- (g) omit paragraphs (7) and (8).

(4) In regulation 16 (notification of death of service user)—

- (a) in paragraph (2)—
 - (i) for “health service body”, in the first place where it occurs, substitute “ health service body, a local authority exercising public health functions (within the meaning of the National Health Service Act 2006) ”, and
 - (ii) in sub-paragraph (a)(ii), after “health service body” insert “ , or local authority exercising public health functions (within the meaning of the National Health Service Act 2006), ”, and
- (b) in paragraph (6), for sub-paragraph (a) substitute—

“(a) section 3A (power of clinical commissioning groups as to commissioning certain health services).”.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

Marginal Citations

M134 S.I. 2009/3112. The relevant amending instrument is S.I. 2012/921.

The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009

135. In regulation 2(1) of the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 ^{M135} (interpretation), in the definition of “equivalent body”, in paragraph (a), for “a Primary Care Trust,” substitute “ the National Health Service Commissioning Board, or in relation to any time prior to 1st April 2013 and after 30th September 2002 a Primary Care Trust, ”.

Marginal Citations

M135 S.S.I. 2009/183, to which there are amendments not relevant to this Order.

The Regional Agency for Public Health and Social Well-being (Membership) Regulations (Northern Ireland) 2009

136.—(1) The Regional Agency for Public Health and Social Well-being (Membership) Regulations (Northern Ireland) 2009 ^{M136} are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “charity trustee” insert—

““former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and

(b) in the definition of “health service body”—

(i) in paragraph (a), omit sub-paragraphs (i) and (ii),

(ii) in paragraph (a), after sub-paragraph (iv) insert—

“(iva) a clinical commissioning group;

(ivb) the National Health Service Commissioning Board;

(ivc) the National Institute for Health and Care Excellence;

(ivd) the Health and Social Care Information Centre;”, and

(iii) omit paragraph (d) (but not the “and” following it).

(3) In regulation 4 (disqualification for appointment)—

(a) in paragraph (1)(b), for “or a health service body” substitute “ , a health service body or a former health service body ”,

(b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,

(c) after paragraph (1)(f) insert—

“(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,

(d) in paragraph (1)(h), for “or a health service body.” substitute “ , a health service body (other than a clinical commissioning group) or a former health service body; ”, and

(e) after paragraph (1)(h) insert—

“(i) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”, and

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- (f) in paragraph (3)(a)—
 - (i) after “his being” insert “ (i) ”, and
 - (ii) for “or a health service body;” substitute—
 - “, a health service body (other than a clinical commissioning group) or a former health service body, or
 - (ii) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations

[M136 S.R. 2009/93.](#)

The Regional Health and Social Care Board (Membership) Regulations (Northern Ireland) 2009

137.—(1) The Regional Health and Social Care Board (Membership) Regulations (Northern Ireland) 2009 ^{M137} are amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) after the definition of “charity trustee” insert—
 - ““former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and
 - (b) in the definition of “health service body”—
 - (i) in paragraph (a), omit sub-paragraphs (i) and (ii),
 - (ii) in paragraph (a), after sub-paragraph (iv) insert—
 - “(iva) a clinical commissioning group;
 - (ivb) the National Health Service Commissioning Board;
 - (ivc) the National Institute for Health and Care Excellence;
 - (ivd) the Health and Social Care Information Centre;”, and
 - (iii) omit paragraph (d).
- (3) In regulation 4 (disqualification for appointment)—
 - (a) in paragraph (1)(b), for “or a health service body” substitute “ , a health service body or a former health service body ”,
 - (b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,
 - (c) after paragraph (1)(f) insert—
 - “(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,
 - (d) in paragraph (1)(h), for “or a health service body.” substitute “ , a health service body (other than a clinical commissioning group) or a former health service body; ”, and
 - (e) after paragraph (1)(h) insert—
 - “(i) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”, and
 - (f) in paragraph (3)(a)—
 - (i) after “his being” insert “ (i) ”, and

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- (ii) for “or a health service body;” substitute—
 - “, a health service body (other than a clinical commissioning group) or a former health service body, or
 - (ii) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations

M137 S.R. 2009/95.

The Regional Business Services Organisation (Membership and Procedure) Regulations (Northern Ireland) 2009

138.—(1) The Regional Business Services Organisation (Membership and Procedure) Regulations (Northern Ireland) 2009 ^{M138} are amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) after the definition of “charity trustee” insert—

““former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and
 - (b) in the definition of “health service body”—
 - (i) in paragraph (a), omit sub-paragraphs (i) and (iii),
 - (ii) in paragraph (a), after sub-paragraph (iv) insert—

“(iva) a clinical commissioning group;
(ivb) the National Health Service Commissioning Board;
(ivc) the National Institute for Health and Care Excellence;
(ivd) the Health and Social Care Information Centre;”, and
 - (iii) omit paragraph (d).
- (3) In regulation 4 (disqualification for appointment)—
 - (a) in paragraph (1)(b), for “or a health service body” substitute “ , a health service body or a former health service body ”,
 - (b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,
 - (c) after paragraph (1)(f) insert—

“(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,
 - (d) in paragraph (1)(h), for “or a health service body.” substitute “ , a health service body (other than a clinical commissioning group) or a former health service body; ”,
 - (e) after paragraph (1)(h) insert—

“(i) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”, and
 - (f) in paragraph (3)(i)—
 - (i) after “his being” insert “ (a) ”, and
 - (ii) for “or a health service body;” substitute—

“, a health service body (other than a clinical commissioning group) or a former health service body, or

(b) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations

M138 S.R. 2009/97.

The Patient and Client Council (Membership and Procedure) Regulations (Northern Ireland) 2009

139.—(1) The Patient and Client Council (Membership and Procedure) Regulations (Northern Ireland) 2009 ^{M139} are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “charity trustee” insert—

““former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and

(b) in the definition of “health service body”—

(i) in paragraph (a), omit sub-paragraphs (i) and (iii),

(ii) in paragraph (a), after sub-paragraph (iv) insert—

“(iva) a clinical commissioning group;

(ivb) the National Health Service Commissioning Board;

(ivc) the National Institute for Health and Care Excellence;

(ivd) the Health and Social Care Information Centre;”, and

(iii) omit paragraph (d).

(3) In regulation 3 (disqualification for appointment)—

(a) in paragraph (1)(b), for “or a health service body” substitute “ , a health service body or a former health service body ”,

(b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,

(c) after paragraph (1)(f) insert—

“(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,

(d) in paragraph (1)(h), for “or a health service body.” substitute “ , a health service body (other than a clinical commissioning group) or a former health service body; ”,

(e) after paragraph (1)(h) insert—

“(i) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”, and

(f) in paragraph (3)(a)—

(i) after “his being” insert “ (i) ”,

(ii) after “health service body” insert “ (other than a clinical commissioning group), a former health service body, ”, and

(iii) after “health and social care body;” insert—

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“or

- (ii) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations

[M139 S.R. 2009/98.](#)

The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009

140. In regulation 39(6)(e)(iv) of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 ^{M140} (general qualifying conditions for grants for living and other costs), for “of section 28(6)” substitute “ given by section 275(1) ”.

Marginal Citations

[M140 S.R. 2009/373](#), to which there are amendments not relevant to this Order.

The Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009

141.—(1) The Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009 ^{M141} are amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) after the definition of “dental practitioner” insert—
 - ““former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and
 - (b) in the definition of “health service body”—
 - (i) in paragraph (a), omit sub-paragraphs (i) and (iii), and
 - (ii) in paragraph (a), after sub-paragraph (iv) insert—
 - “(iva) a clinical commissioning group;
 - (ivb) the National Health Service Commissioning Board;
 - (ivc) the National Institute for Health and Care Excellence;
 - (ivd) the Health and Social Care Information Centre;”, and
 - (iii) omit paragraph (d).
- (3) In regulation 4 (disqualification for appointment)—
 - (a) in paragraph (1)(b), for “or a health service body” substitute “ , a health service body or a former health service body ”,
 - (b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,
 - (c) after paragraph (1)(f) insert—
 - “(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,
 - (d) in paragraph (1)(h), for “or a health service body” substitute “ , a health service body (other than a clinical commissioning group) or a former health service body ”,
 - (e) after paragraph (1)(h) insert—

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- “(ha) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”, and
- (f) in paragraph (4)(a)—
- (i) after “his being” insert “ (i) ”, and
 - (ii) for “or a health service body;” substitute—
“, a health service body (other than a clinical commissioning group) or a former health service body, or
(ii) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations
M141 S.R. 2009/395.

The Private Water Supplies (Wales) Regulations 2010

^{F4}142.

F4 Sch. 2 para. 142 revoked (20.11.2017) by [The Private Water Supplies \(Wales\) Regulations 2017 \(S.I. 2017/1041\)](#), [regs. 1\(1\), 24\(2\)](#) (with [reg. 3](#))

The National Health Service (Functions of the First-tier Tribunal relating to Primary Medical, Dental and Ophthalmic Services) Regulations 2010

143.—(1) The National Health Service (Functions of the First-tier Tribunal relating to Primary Medical, Dental and Ophthalmic Services) Regulations 2010 ^{M142} are amended as follows.

- (2) In regulation 2 (interpretation)—
- (a) after the definition of “the Act”, insert—
““the Board” means the National Health Service Commissioning Board;”,
 - (b) in the definition of “contractor”—
 - (i) in paragraph (a), for “a Primary Care Trust” substitute “ the Board ”, and
 - (ii) in paragraph (b), for the brackets and the words within the brackets substitute “ other than the Board; ”, and
 - (c) omit the definition of “relevant body” and the “and” immediately preceding it.
- (3) In regulation 3(2) (directions in respect of GMS contract disputes)—
- (a) for “the Primary Care Trust”, in each place where it occurs, substitute “ the Board ”, and
 - (b) for “a Primary Care Trust” substitute “ the Board ”.
- (4) In regulation 4(2) (directions in respect of PMS agreement disputes)—
- (a) for “the relevant body”, in each place where it occurs, substitute “ the Board ”, and
 - (b) for “a relevant body” substitute “ the Board ”.
- (5) In regulation 5(2) (directions in respect of GDS contract disputes)—
- (a) for “the Primary Care Trust”, in each place where it occurs, substitute “ the Board ”, and
 - (b) for “a Primary Care Trust” substitute “ the Board ”.

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(6) In regulation 6(2) (directions in respect of PDS agreement disputes), for “the relevant body”, in each place where it occurs, substitute “ the Board ”.

(7) In regulation 7(2) (directions in respect of GOS contract disputes)—

- (a) for “the PCT”, in each place where it occurs, substitute “ the Board ”,
- (b) for “the Primary Care Trust” substitute “ the Board ”, and
- (c) for “a Primary Care Trust” substitute “ the Board ”.

Marginal Citations

M142 S.I. 2010/76.

The Pharmacy Order 2010

144.—(1) The Pharmacy Order 2010^{M143} is amended as follows.

(2) In article 66(3) (rules), in sub-paragraph (a), for “Primary Care Trusts” substitute “ the National Health Service Commissioning Board ”.

(3) In Schedule 1 (constitution of the General Pharmaceutical Council), in paragraph 1 (membership: general), omit sub-paragraphs (4) and (5).

Marginal Citations

M143 S.I. 2010/231, to which there are amendments not relevant to this Order.

The Community Health Councils (Constitution, Membership and Procedure) (Wales) Regulations 2010

145.—(1) The English text of the Community Health Councils (Constitution, Membership and Procedure) (Wales) Regulations 2010^{M144} is amended as follows.

(2) In regulation 2 (interpretation)—

(a) after the definition of “Chief Officer” (“*Prif Swyddog*”) insert—

““clinical commissioning group” (“*grŵp comisiynu clinigol*”) means a body established under section 14D of the National Health Service Act 2006;”

(b) in the definition of “health service body” (“*corff gwasanaeth iechyd*”)—

(i) omit “Strategic Health Authority,”, and

(ii) for “, NHS Trust or Primary Care Trust” substitute “ or NHS Trust ”,

(c) omit the definition of “relevant Primary Care Trust” (“*Ymddiriedolaeth Gofal Sylfaenol berthnasol*”), and

(d) omit the definition of “relevant Strategic Health Authority” (“*Awdurdod Iechyd Strategol perthnasol*”).

(3) In regulation 12(1) (disqualification for membership)—

(a) in sub-paragraph (a), after “relevant health service body” insert “ or the National Health Service Commissioning Board ”,

(b) after that sub-paragraph insert—

“(aa) is the chair or a member of the governing body of a clinical commissioning group;”

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- (c) in sub-paragraph (b), after “relevant health service body” insert “, a clinical commissioning group or the National Health Service Commissioning Board”, and
 - (d) in sub-paragraph (h), after “health service body” insert “, Primary Care Trust, Strategic Health Authority, clinical commissioning group or the National Health Service Commissioning Board”.
- (4) In regulation 29(1) (entry and inspection of premises)—
- (a) omit sub-paragraph (b), and
 - (b) omit sub-paragraph (e).
- (5) The Welsh text of the Community Health Councils (Constitution, Membership and Procedure) (Wales) Regulations 2010 is amended as follows.
- (6) In regulation 2 (dehongli)—
- (a) after the definition of “Gorchymyn Sefydlu Cyngorau Iechyd Cymuned 2010” (“*the Community Health Councils Establishment Order 2010*”) insert—
“ystyr “grŵp comisiynu clinigol” (“*clinical commissioning group*”) yw corff a sefydlwyd o dan adran 14D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;”,
 - (b) in the definition of “corff gwasanaeth iechyd” (“*health service body*”)—
 - (i) omit “Awdurdod Iechyd Strategol,”, and
 - (ii) for “, Ymddiriedolaeth GIG neu Ymddiriedolaeth Gofal Sylfaenol” substitute “ neu Ymddiriedolaeth GIG ”,
 - (c) omit the definition of “Ymddiriedolaeth Gofal Sylfaenol berthnasol” (“*relevant Primary Care Trust*”), and
 - (d) omit the definition of “Awdurdod Iechyd Strategol perthnasol” (“*relevant Strategic Health Authority*”).
- (7) In regulation 12(1) (anghymwyso rhag bod yn aelod)—
- (a) in sub-paragraph (a), after “gorff gwasanaeth iechyd perthnasol” insert “neu o Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”,
 - (b) after that sub-paragraph insert—
“(aa) yn gadeirydd neu'n aelod o gorff llywodraethu grŵp comisiynu clinigol;”,
 - (c) in sub-paragraph (b), after “gorff gwasanaeth iechyd perthnasol” insert “, grŵp comisiynu clinigol neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”, and
 - (d) in sub-paragraph (f), after “chorff gwasanaeth iechyd” insert “, Ymddiriedolaeth Gofal Sylfaenol, Awdurdod Iechyd Strategol, grŵp comisiynu clinigol neu Fwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol”.
- (8) In regulation 29(1) (mynd i mewn i fangreuedd a'u harchwilio)—
- (a) omit sub-paragraph (b), and
 - (b) omit sub-paragraph (d).

Marginal Citations

M144 S.I. 2010/288 (W. 37).

The Children's Trust Board (Relevant Partners) (Exceptions) (England) Regulations 2010

146. In regulation 2 of the Children's Trust Board (Relevant Partners) (Exceptions) (England) Regulations 2010^{M145} (prescribed relevant partners for the purposes of section 12A(4) of the Children

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Act 1989), for “A Strategic Health Authority is” substitute “ A clinical commissioning group and the National Health Service Commissioning Board are each ”.

Marginal Citations
M145 S.I. 2010/590.

The Health Protection (Part 2A Orders) Regulations 2010

147.—(1) The Health Protection (Part 2A Orders) Regulations 2010^{M146} are amended as follows.

(2) In regulation 10 (duty on local authorities to report Part 2A applications to the Health Protection Agency)—

- (a) in the heading, for “the Health Protection Agency” substitute “ Public Health England ”, and
- (b) in paragraph (1), for “the Health Protection Agency” substitute “ Public Health England, an executive agency of the Department of Health, ”.

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

- (a) in the heading, for “the Health Protection Agency” substitute “ Public Health England ”, and
- (b) in paragraph (1), for “the Health Protection Agency” substitute “ Public Health England, an executive agency of the Department of Health, ”.

Marginal Citations
M146 S.I. 2010/658.

The Health Protection (Notification) Regulations 2010

148.—(1) The Health Protection (Notification) Regulations 2010^{M147} are amended as follows.

(2) In regulation 1 (citation, commencement and application), after paragraph (2) insert—

“(3) In these Regulations, “Public Health England” means the executive agency of the Department of Health known as Public Health England.”

(3) In regulation 4 (duty to notify causative agents found in human samples)—

- (a) in paragraph (1), for “the Health Protection Agency” substitute “ Public Health England ”, and
- (b) in paragraph (6), for “the Health Protection Agency” substitute “ Public Health England ”.

(4) In regulation 5 (duty to provide information to the Health Protection Agency)—

- (a) in the heading, for “the Health Protection Agency” substitute “ Public Health England ”,
- (b) in paragraph (1), for “the Health Protection Agency” substitute “ Public Health England ”,
- (c) in paragraph (2), for “The Health Protection Agency” substitute “ Public Health England ”,
- (d) in paragraph (5), for “the Health Protection Agency” substitute “ Public Health England ”, and
- (e) in paragraph (6), for “the Health Protection Agency” substitute “ Public Health England ”.

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(5) In regulation 6(2) (duty on the relevant local authority to disclose notification to others), for sub-paragraph (a) substitute—

“(a) Public Health England;”.

Marginal Citations

M147 S.I. 2010/659.

The National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 2010

149.—(1) The National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 2010^{M148} are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “local authority” insert—

““relevant Local Healthwatch organisation” means a Local Healthwatch organisation for the area of a local authority in which there is situated—

(a) in a case where the Secretary of State is considering making an establishment order, any hospital or other establishment or facility which would be managed by the NHS trust to be established, or

(b) in any other case, any hospital or other establishment or facility managed by the NHS trust in respect of which the order is to be made;”.

(b) omit the definition of “local involvement network”, and

(c) omit the definition of “relevant local involvement network”.

(3) In regulation 2 (consultation relating to orders under section 25 of the Act and dissolution orders)—

(a) in paragraph (1), for “each relevant local involvement network” substitute “ each relevant Local Healthwatch organisation ”,

(b) in paragraph (5)(a), for “each relevant local involvement network” substitute “ each relevant Local Healthwatch organisation ”,

(c) in paragraph (5)(b), for “each relevant local involvement network” substitute “ each relevant Local Healthwatch organisation ”, and

(d) in paragraph (6), for “local involvement network” substitute “ Local Healthwatch organisation ”.

(4) In regulation 3 (consultation relating to transfer orders)—

(a) in paragraph (1)(a), for “each relevant local involvement network” substitute “ each relevant Local Healthwatch organisation ”,

(b) in paragraph (1)(b), for “each relevant local involvement network” substitute “ each relevant Local Healthwatch organisation ”, and

(c) in paragraph (2), for “local involvement network” substitute “ Local Healthwatch organisation ”.

(5) In regulation 4(3) (combined and joint consultations), for “each relevant local involvement network”, in each place where it occurs, substitute “ each relevant Local Healthwatch organisation ”.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

Marginal Citations

M148 S.I. 2010/743, to which there is an amendment not relevant to this Order.

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010

150.—(1) Schedule 2 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 ^{M149} (regulated activities: general exceptions) is amended as follows.

(2) In paragraph 3(a)—

(a) for paragraph (i) substitute—

“(i) section 3A (power of clinical commissioning groups as to commissioning certain health services),” and

(b) in paragraph (iii), for “Strategic Health Authorities” substitute “ the Board ”.

(3) In paragraph 13, for the words from “and services of a kind” to the end substitute “ , services of a kind which, if provided in pursuance of that Act, would be provided as pharmaceutical services or local pharmaceutical services under that Part or services provided, in pursuance of that Act, at or from premises that are a registered pharmacy (within the meaning given by section 74 of the Medicines Act 1968). ”

Marginal Citations

M149 S.I. 2010/781, to which there are amendments not relevant to this Order.

The Care Planning, Placement and Case Review (England) Regulations 2010

151. In regulation 13(2)(f) of the Care Planning, Placement and Case Review (England) Regulations 2010 ^{M150} (notification of placement), for “the Primary Care Trust” substitute “ the National Health Service Commissioning Board and the clinical commissioning group ”.

Marginal Citations

M150 S.I. 2010/959, to which there are amendments not relevant to this Order.

The Water Supply (Water Quality) Regulations 2010

^{F5}**152.**

F5 Sch. 2 para. 152 revoked (15.6.2018) by [The Water Supply \(Water Quality\) Regulations 2018 \(S.I. 2018/647\)](#), reg. 1(1), [Sch. 6](#)

The Human Fertilisation and Embryology (Disclosure of Information for Research Purposes) Regulations 2010

153.—(1) The Human Fertilisation and Embryology (Disclosure of Information for Research Purposes) Regulations 2010 ^{M151} are amended as follows.

(2) In regulation 2(1) (interpretation), omit the definition of “the NIGB”.

(3) Omit regulation 5 (advice and assistance from NIGB).

Marginal Citations

M151 S.I. 2010/995.

The National Health Service (Direct Payments) Regulations 2010

154.—(1) The National Health Service (Direct Payments) Regulations 2010^{M152} are amended as follows.

- (2) In regulation 1(2) (interpretation)—
 - (a) omit the definition of “after-care PCT”,
 - (b) omit the definition of “after-care services”,
 - (c) after the definition of “child” insert—

““health body” means a clinical commissioning group, the National Health Service Commissioning Board, a local authority or the Secretary of State;”,
 - (d) after the definition of “patient” insert—

““pilot health body” means a health body in respect of which the Secretary of State has made a pilot scheme;”, and
 - (e) omit the definition of “pilot PCT”.
- (3) In regulation 2 (Secretary of State's power to make a pilot scheme)—
 - (a) for paragraph (2) substitute—

“(2) The Secretary of State may make a pilot scheme in respect of a clinical commissioning group, the National Health Service Commissioning Board or a local authority only in response to a pilot proposal made in accordance with regulation 3, but such a pilot proposal is not required before the making of a pilot scheme in respect of the Secretary of State.”,
 - (b) omit paragraph (6), and
 - (c) for paragraph (7) substitute—

“(7) Where the Secretary of State has made a pilot scheme, the pilot health body may make direct payments in accordance with these Regulations.”
- (4) In regulation 3 (pilot proposal for direct payments for health care)—
 - (a) in paragraph (1), for “Primary Care Trust which seeks to become a pilot PCT” substitute “health body (other than the Secretary of State) which seeks to become a pilot health body”,
 - (b) in paragraph (2)—
 - (i) for “pilot PCT”, in each place where it occurs, substitute “pilot health body”, and
 - (ii) omit sub-paragraph (e), and
 - (c) in paragraph (4), for “Primary Care Trust” substitute “health body”.
- (5) In regulation 4 (Secretary of State's powers in relation to a pilot scheme)—
 - (a) in paragraph (1), for “pilot PCT” substitute “pilot health body”,
 - (b) in paragraph (2), for “pilot PCT” substitute “pilot health body”,
 - (c) in paragraph (3), for “pilot PCT” substitute “pilot health body (other than the Secretary of State)”,
 - (d) in paragraph (4), for “pilot PCT” substitute “pilot health body”, and
 - (e) after paragraph (4) insert—

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- “(5) In a case where the pilot health body is the Secretary of State—
- (a) paragraph (1) is to have effect as if the words “by a notice in writing to the pilot health body” were omitted, and
 - (b) paragraph (4) is to have effect as if the words “by notice in writing to the pilot health body” were omitted.”
- (6) In regulation 5 (review of pilot schemes)—
- (a) in paragraph (1)(b)—
 - (i) for “pilot PCT”, in the first place where it occurs, substitute “ pilot health body (other than the Secretary of State) ”, and
 - (ii) for “pilot PCT”, in the other places where it occurs, substitute “ pilot health body ”,
 - (b) in paragraph (5), for “pilot PCT” substitute “ pilot health body ”,
 - (c) in paragraph (7), for “pilot PCT” substitute “ pilot health body ”, and
 - (d) in paragraph (8), for “pilot PCT”, in each place where it occurs, substitute “ pilot health body ”.
- (7) In regulation 7(1) (persons to whom a direct payment may be made), for sub-paragraph (a) substitute—
- “(a) is a person for whose benefit anything may or must be provided or arranged by the pilot health body—
- (i) under the National Health Service Act 2006, or
 - (ii) in the case of a clinical commissioning group or the National Health Service Commissioning Board, under any other enactment;”.
- (8) In regulation 8 (direct payments in respect of children and persons who lack capacity)—
- (a) in paragraph (1), for sub-paragraph (a) substitute—

“(a) is a person for whose benefit anything may or must be provided or arranged by the pilot health body—

 - (i) under the National Health Service Act 2006, or
 - (ii) in the case of a clinical commissioning group or the National Health Service Commissioning Board, under any other enactment;”,
 - (b) in paragraph (4), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (c) in paragraph (6), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (d) in paragraph (7), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”, and
 - (e) in paragraph (8), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”.
- (9) In regulation 9 (nominated person)—
- (a) in paragraph (1), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (b) in paragraph (4), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (c) in paragraph (5)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”.
- (10) In regulation 10 (decision to make a direct payment)—

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- (a) in paragraph (1), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”,
 - (b) in paragraph (2)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (c) in paragraph (3), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (d) in paragraph (4), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (e) in paragraph (5), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (f) in paragraph (6), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”,
 - (g) in paragraph (7), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”,
 - (h) in paragraph (9), for “Secretary of State or after-care PCT” substitute “ pilot health body ”, and
 - (i) in paragraph (10), for “Secretary of State or after-care PCT” substitute “ pilot health body ”.
- (11) In regulation 11 (care plan and care co-ordinator)—
- (a) in paragraph (1)—
 - (i) for “the Secretary of State or an after-care PCT” substitute “ a pilot health body ”, and
 - (ii) for “Secretary of State or the after-care PCT” substitute “ pilot health body ”,
 - (b) in paragraph (3)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (c) in paragraph (4)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (d) in paragraph (6)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or the PCT” substitute “ pilot health body ”,
 - (e) in paragraph (7)—
 - (i) for “Secretary of State or an after-care PCT” substitute “ pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”, and
 - (f) in paragraph (8), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”.
- (12) In regulation 12(1) (information, advice and other support), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”.
- (13) In regulation 13 (conditions applying to the making of direct payments by the Secretary of State or an after-care PCT)—
- (a) in the heading, for “the Secretary of State or an after-care PCT” substitute “ a pilot health body ”,

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- (b) in paragraph (1)—
 - (i) for “the Secretary of State or an after-care PCT”, in the first place where it occurs, substitute “ a pilot health body ”,
 - (ii) for “the Secretary of State or an after-care PCT”, in the second place where it occurs, substitute “ the pilot health body ”, and
 - (iii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (c) in paragraph (2), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (d) in paragraph (3), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (e) in paragraph (4)—
 - (i) for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”, and
 - (ii) for “Secretary of State or the after-care PCT” substitute “ pilot health body ”, and
 - (f) in paragraph (5), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”.
- (14) In regulation 14 (conditions to be complied with by the patient, representative or nominee)—
- (a) in paragraph (3), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (b) in paragraph (5), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (c) in paragraph (6), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (d) in paragraph (7), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (e) in paragraph (8), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”, and
 - (f) in paragraph (9)—
 - (i) for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”.
- (15) In regulation 15(c) (provision of information), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”.
- (16) In regulation 16 (amount of direct payment)—
- (a) in paragraph (1), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”,
 - (b) in paragraph (2), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (c) in paragraph (3), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”,
 - (d) in paragraph (4), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”, and
 - (e) in paragraph (5), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”.
- (17) In regulation 17 (monitoring and review of direct payments)—

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- (a) in paragraph (1), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”,
 - (b) in paragraph (2), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”,
 - (c) in paragraph (3), for “Secretary of State or an after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (d) in paragraph (4), for “Secretary of State or an after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (e) in paragraph (5), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”,
 - (f) in paragraph (6), for “Secretary of State or an after-care PCT” substitute “ pilot health body ”,
 - (g) in paragraph (7), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (h) in paragraph (8), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (i) in paragraph (9), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (j) in paragraph (10), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (k) in paragraph (11), for “Secretary of State or after-care PCT” substitute “ pilot health body ”, and
 - (l) in paragraph (12), for “Secretary of State or after-care PCT” substitute “ pilot health body ”.
- (18) In regulation 18 (repayment of direct payments)—
- (a) in paragraph (1)—
 - (i) for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”, and
 - (ii) for “Secretary of State or the after-care PCT” substitute “ pilot health body ”,
 - (b) in paragraph (2)—
 - (i) for “the Secretary of State or an after-care PCT” substitute “ a pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (c) in paragraph (4), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
 - (d) in paragraph (5), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
 - (e) in paragraph (6), for “Secretary of State or after-care PCT” substitute “ pilot health body ”, and
 - (f) in paragraph (7), for “Secretary of State or after-care PCT” substitute “ pilot health body ”.
- (19) In regulation 19(1) (recovery of amounts due as a civil debt), for “the Secretary of State or an after-care PCT” substitute “ a pilot health body ”.
- (20) In regulation 20 (stopping direct payments)—
- (a) in paragraph (1), for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”,
 - (b) in paragraph (2)—

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- (i) for “The Secretary of State or an after-care PCT” substitute “ A pilot health body ”, and
- (ii) for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
- (c) in paragraph (3)—
 - (i) for “the Secretary of State or an after-care PCT” substitute “ a pilot health body ”, and
 - (ii) for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
- (d) in paragraph (5), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”,
- (e) in paragraph (6), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
- (f) in paragraph (7), for “Secretary of State or after-care PCT” substitute “ pilot health body ”,
- (g) in paragraph (8), for “Secretary of State or after-care PCT” substitute “ pilot health body ”, and
- (h) in paragraph (9), for “Secretary of State or after-care PCT”, in each place where it occurs, substitute “ pilot health body ”.

Marginal Citations

M152 S.I. 2010/1000, to which there are amendments not relevant to this Order.

The Town and Country Planning (Development Management Procedure) (England) Order 2010

^{F6}**155.**

F6 Sch. 2 para. 155 revoked (15.4.2015) by [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015 \(S.I. 2015/595\)](#), art. 1(1), **Sch. 9** (with art. 1(3)(4), 47)

The Family Procedure Rules 2010

156. In rule 12.3 of the Family Procedure Rules 2010 ^{M153} (who the parties are)—

- (a) in paragraph (1), in the table, in the entry relating to a secure accommodation order, in column 2—
 - (i) for “Primary Care Trust,” substitute “ Secretary of State, National Health Service Commissioning Board, clinical commissioning group, ”, and
 - (ii) after “providing” insert “ or arranging ”, and
- (b) in paragraph (5), for “ “Primary Care Trust”” substitute “ “clinical commissioning group” ”.

Marginal Citations

M153 S.I. 2010/2955, to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The National Health Service (General Dental Services) (Scotland) Regulations 2010

157. In regulation 2(1) of the National Health Service (General Dental Services) (Scotland) Regulations 2010 ^{M154} (interpretation), in the definition of “equivalent body”—

- (a) in paragraph (a), for “a Primary Care Trust” substitute “ the National Health Service Commissioning Board ”, and
- (b) after paragraph (c) insert—
 - “(ca) in relation to any time prior to 1st April 2013 and after 30th September 2002, a Primary Care Trust in England;”.

Marginal Citations

M154 S.S.I. 2010/208, to which there are amendments not relevant to this Order.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010

158. In Schedule 2 to the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010 ^{M155} (radiological emergencies), in paragraph 4(2) (d), for “Health Protection Agency pursuant to its functions under section 3 of the Health Protection Agency Act 2004” substitute “ Department of Health, Social Services and Public Safety in Northern Ireland pursuant to its functions under section 58 of the Health and Social Care Act 2012 ”.

Marginal Citations

M155 S.R. 2010/160, to which there are amendments not relevant to this Order.

The Medical Profession (Responsible Officers) Regulations (Northern Ireland) 2010

159. In regulation 16(b) of the Medical Profession (Responsible Officers) Regulations (Northern Ireland) 2006 ^{M156} (duty to have regard to guidance), for “National Clinical Assessment Service division of the National Patient Safety Agency” substitute “ the National Health Service Litigation Authority ”.

Marginal Citations

M156 S.R. 2010/222.

The Fostering Services (England) Regulations 2011

160.—(1) The Fostering Services (England) Regulations 2011 ^{M157} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) after the definition of “children's guide” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (b) omit the definition of “Primary Care Trust”.
- (3) In Schedule 7 (events and notifications), in the table—

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- (a) in the column relating to an area authority, in the row relating to the outbreak of any infectious disease, insert “yes”, and
- (b) in the column relating to a Primary Care Trust—
 - (i) for “Primary Care Trust” substitute “Clinical commissioning group and the National Health Service Commissioning Board”, and
 - (ii) in the row relating to the outbreak of any infectious disease, omit “yes”.

Marginal Citations

M157 S.I. 2011/581, to which there are amendments not relevant to this Order.

The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011

161.—(1) The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011^{M158} are amended as follows.

- (2) In regulation 2(1) (interpretation)—
 - (a) after the definition of “the 2000 Act” insert—
 - ““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”, and
 - (b) omit the definition of “Primary Care Trust”.
- (3) In regulation 7(1)(c) (notification of arrangements), for “the Primary Care Trust” substitute “the National Health Service Commissioning Board and the clinical commissioning group”.

Marginal Citations

M158 S.I. 2011/582, to which there are amendments not relevant to this Order.

The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011

162.—(1) In the English text of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011^{M159}, in regulation 34(1) (interpretation)—

- (a) omit sub-paragraphs (a) and (b), and
- (b) after sub-paragraph (c) insert—
 - “(ca) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (cb) the National Health Service Commissioning Board;
 - (cc) a local authority (within the meaning of section 2B of the National Health Service Act 2006) acting in the exercise of public health functions (within the meaning of that Act);”.

(2) In the Welsh text of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011, in regulation 34(1) (dehongli)—

- (a) omit sub-paragraphs (a) and (b), and
- (b) after sub-paragraph (c) insert—

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- “(ca) grŵp comisiynu clinigol a sefydlwyd o dan adran 14D o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;
- (cb) Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol;
- (cc) awdurdod lleol (o fewn ystyr adran 2B o Ddeddf Iechyd Gwladol 2006) sy'n gweithredu i arfer swyddogaethau iechyd y cyhoedd (o fewn ystyr y Ddeddf honno);”.

Marginal Citations

M159 S.I. 2011/704 (W. 108), to which there are amendments not relevant to this Order.

The Accounts and Audit (England) Regulations 2011

^{F7}**163.**

F7 Sch. 2 para. 163 revoked (1.4.2015) by [The Accounts and Audit Regulations 2015 \(S.I. 2015/234\)](#), reg. 1(1), [Sch. 2](#) (with regs. 1(3), 22(2))

The National Health Service (Charges to Overseas Visitors) Regulations 2011

^{F8}**164.**

F8 Sch. 2 para. 164 revoked (6.4.2015) by [The National Health Service \(Charges to Overseas Visitors\) Regulations 2015 \(S.I. 2015/238\)](#), reg. 1, [Sch. 4](#) (with reg. 27)

The Education (Student Support) Regulations 2011

165. In regulation 38(7) of the Education (Student Support) Regulations 2011 ^{M160} (general qualifying conditions for grants for living and other costs)—

- (a) in sub-paragraph (a), for “primary care trust” substitute “ clinical commissioning group ”,
- (b) after sub-paragraph (b) insert—

“(ba) unpaid service with a local authority (within the meaning of section 2B of the National Health Service Act 2006) acting in the exercise of public health functions (within the meaning of that Act);”, and

- (c) in sub-paragraph (e), for paragraph (i) substitute—

“(i) a Special Health Authority established pursuant to section 28 of the National Health Service Act 2006;

- (ia) the National Health Service Commissioning Board;
- (ib) the National Institute for Health and Care Excellence;
- (ic) the Health and Social Care Information Centre;”.

Marginal Citations

M160 S.I. 2011/1986, to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Equality Act 2010 (Specific Duties) Regulations 2011

166. In Schedule 1 to the Equality Act 2010 (Specific Duties) Regulations 2011 ^{M161} (public authorities required to publish information by 31st January 2012)—

- (a) after the entry beginning “An NHS trust” insert—
“A clinical commissioning group established under section 14D of that Act.
The National Health Service Commissioning Board.
The National Institute for Health and Care Excellence.
The Health and Social Care Information Centre.”,
- (b) omit the entry beginning “A Primary Care Trust”, and
- (c) omit the entry beginning “A Strategic Health Authority”.

Marginal Citations

M161 [S.I. 2011/2260](#), to which there are amendments not relevant to this Order.

The Health Research Authority Regulations 2011

167.—(1) In regulation 1(2) of Health Research Authority Regulations 2011 ^{M162} (interpretation), in the definition of “health service body”, after paragraph (e) insert—

- “(ea) the National Institute for Health and Care Excellence;
 - (eb) the Health and Social Care Information Centre;”.
- (2) This paragraph applies in relation to England only.

Marginal Citations

M162 [S.I. 2011/2341](#), to which there are amendments not relevant to this Order.

The Neighbourhood Planning (General) Regulations 2012

168. In Schedule 1 to the Neighbourhood Planning (General) Regulations 2012 ^{M163} (consultation bodies), in paragraph 1(l), for paragraph (i) substitute—

- “(i) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
- (ia) the National Health Service Commissioning Board;”.

Marginal Citations

M163 [S.I. 2012/637](#).

The Town and Country Planning (Local Planning) (England) Regulations 2012

169.—(1) The Town and Country Planning (Local Planning) (England) Regulations 2012 ^{M164} are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “specific consultation bodies”, in paragraph (j), for sub-paragraph (i) substitute—

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- “(i) a clinical commissioning group established under section 14D of the National Health Service Act 2006;
- (ia) the National Health Service Commissioning Board;”.
- (3) In regulation 4(1) (duty to co-operate), for sub-paragraph (g) substitute—
 - “(g) each clinical commissioning group established under section 14D of the National Health Service Act 2006;
 - (ga) the National Health Service Commissioning Board;”.

Marginal Citations

M164 S.I. 2012/767, to which there are amendments not relevant to this Order.

The National Health Service Trust Development Authority (Establishment and Constitution) Order 2012

170. In article 3(1)(b)(iii) of the National Health Service Trust Development Authority (Establishment and Constitution) Order 2012 ^{M165} (functions of the Authority)—

- (a) omit “Primary Care Trusts,” and
- (b) for “, Special Health Authorities and Strategic Health Authorities” substitute “ and Special Health Authorities ”.

Marginal Citations

M165 S.I. 2012/901.

The National Health Service Trust Development Authority Regulations 2012

171.—(1) The National Health Service Trust Development Authority Regulations 2012 ^{M166} are amended as follows.

(2) In regulation 1(2) (interpretation), in the definition of “health service body”, after paragraph (e) insert—

- “(ea) the National Institute for Health and Care Excellence;
- (eb) the Health and Social Care Information Centre;”.
- (3) In regulation 3(1)(j) (disqualification for appointment)—
 - (a) after paragraph (ii) insert—
 - “(ia) the National Institute for Health and Care Excellence,
 - (iib) the Health and Social Care Information Centre;”, and
 - (b) omit paragraph (iii) (together with the “or” following it).

(4) This paragraph applies in relation to England only.

Marginal Citations

M166 S.I. 2012/922, to which there are amendments not relevant to this Order.

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1. (See end of Document for details)

The Local Authorities (Committee System) (England) Regulations 2012

172.—(1) The Local Authorities (Committee System) (England) Regulations 2012 ^{M167} are amended as follows.

(2) In regulation 4 (overview and scrutiny committees)—

(a) in paragraph (3)—

(i) omit sub-paragraph (a), and

(ii) omit sub-paragraph (b) (together with the “or” following it), and

(b) for paragraph (5) substitute—

“(5) An overview and scrutiny committee of a local authority may not discharge any functions other than—

(a) its functions under this Part,

(b) its functions under section 19 of the 2006 Act (local authority scrutiny of crime and disorder matters), or

(c) any functions which may be conferred on it by virtue of regulations under section 244(2ZE) of the National Health Service Act 2006 (local authority scrutiny of health matters).”

(3) In regulation 9(6) (relevant partner authorities: reports and recommendations)—

(a) after sub-paragraph (a) insert—

“(aa) a clinical commissioning group;

(ab) the National Health Service Commissioning Board; or”, and

(b) omit sub-paragraph (c) and the “or” immediately preceding it.

Marginal Citations

M167 [S.I. 2012/1020](#).

The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012

173.—(1) The English text of the Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012 ^{M168} is amended as follows.

(2) In regulation 2 (interpretation), in the definition of “health service body” (“*corff gwasanaeth iechyd*”), after “means” insert “ a clinical commissioning group, the National Health Service Commissioning Board, the National Institute for Health and Care Excellence, the Health and Social Care Information Centre, ”.

(3) In the Schedule (eligibility requirements), in paragraph 1 (general requirements)—

(a) in sub-paragraph (2)—

(i) omit the “or” at the end of paragraph (c),

(ii) in paragraph (d), after “health service body”, in the first place where it occurs, insert “ (other than a clinical commissioning group) ”, and

(iii) after paragraph (d) insert—

“or

(e) has been removed from office as the chair or a member of the governing body of a clinical commissioning group.”, and

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(b) in sub-paragraph (4), after “health service body” insert “ (other than a clinical commissioning group), or of having held the position of chair or member of the governing body of a clinical commissioning group ”.

(4) The Welsh text of the Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012 is amended as follows.

(5) In regulation 2 (dehongli), in the definition of “corff gwasanaeth iechyd” (“*health service body*”), after “yw” insert “grŵp comisiynu clinigol, Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol, y Sefydliad Cenedlaethol dros Ragoriaeth mewn Iechyd a Gofal, y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol.”.

(6) In the Schedule (gofynion cymhwysra), in paragraph 1 (gofynion cyffredinol)—

(a) in sub-paragraph (2)—

(i) omit the “neu” at the end of paragraph (c),

(ii) in paragraph (d), after “gorff gwasanaeth iechyd”, insert “ (ac eithrio grŵp comisiynu clinigol) ”, and

(iii) after paragraph (d) insert—

“neu

(e) wedi ei ddiswyddo fel cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol.”, and

(b) in sub-paragraph (4), after “corff gwasanaeth iechyd” insert “ (ac eithrio grŵp comisiynu clinigol), neu oherwydd iddo ddal swydd cadeirydd neu aelod o gorff llywodraethu grŵp comisiynu clinigol ”.

Marginal Citations

M168 S.I. 2012/1261 (W. 156).

The Health Education England Regulations 2012

174.—(1) In regulation 1(2) of the Health Education England Regulations 2012 ^{M169} (interpretation), in the definition of “health service body”, after paragraph (e) insert—

“(ea) the National Institute for Health and Care Excellence;

(eb) the Health and Social Care Information Centre;”.

(2) This paragraph applies in relation to England only.

Marginal Citations

M169 S.I. 2012/1290, to which there are amendments not relevant to this Order.

The National Health Service (Clinical Commissioning Groups) Regulations 2012

175.—(1) The National Health Service (Clinical Commissioning Groups) Regulations 2012 ^{M170} are amended as follows.

(2) In Schedule 4 (individuals excluded from being lay members of CCG governing bodies)—

(a) in paragraph 3, for “an NHS foundation trust or a Primary Care Trust” substitute “ or an NHS foundation trust ”,

(b) omit paragraph 5, and

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(c) after paragraph 9 insert—

“**9A.** A member or employee of the National Institute for Health and Care Excellence.

9B. A member or employee of the Health and Social Care Information Centre.”

(3) In Schedule 5 (individuals disqualified from membership of CCG governing bodies), in paragraph 6(1), after paragraph (m) insert—

“(ma) the National Institute for Health and Care Excellence,

(mb) the Health and Social Care Information Centre,”.

Marginal Citations

M170 S.I. 2012/1631.

The Human Medicines Regulations 2012

176.—(1) The Human Medicines Regulations 2012^{M171} are amended as follows.

(2) In regulation 213(1) (interpretation)—

(a) before the definition of “the Common Services Agency” insert—

““clinical commissioning group” means a body established under section 14D of the National Health Service Act 2006;”,

(b) in the definition of “health authority”, omit paragraph (a),

(c) omit the definition of “Health Protection Agency”,

(d) after the definition of “independent medical agency” insert—

““local authority” has the same meaning as in section 2B of the National Health Service Act 2006;”,

(e) in the definition of “NHS body”—

(i) after paragraph (c) insert—

“(ca) a clinical commissioning group;

(cb) the National Health Service Commissioning Board;”, and

(ii) omit paragraph (d), and

(f) omit the definition of “Primary Care Trust”.

(3) In regulation 229 (exemption for supply by national health service bodies)—

(a) in the heading, after “bodies” insert “ and local authorities ”,

(b) after paragraph (1)(d) insert—

“(da) a local authority in the exercise of public health functions (within the meaning of the National Health Service Act 2006); or”,

(c) omit paragraph (1)(e) (together with the “or” following it), and

(d) in paragraph (1)(f)—

(i) after “arrangement with” insert “ a clinical commissioning group, the National Health Service Commissioning Board or ”, and

(ii) for “to (e)” substitute “ to (da) ”.

(4) In regulation 230(6)(a) (exemption for supply etc under a PGD to assist doctors or dentists), for “or Primary Care Trust” substitute “ , local authority or National Health Service Commissioning Board ”.

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(5) In regulation 233 (exemption for supply etc under a PGD by person conducting a retail pharmacy business)—

(a) in paragraph (1)(a)—

(i) after paragraph (iv) insert—

“(iva) a clinical commissioning group,

(ivb) the National Health Service Commissioning Board,

(ivc) a local authority in the exercise of public health functions (within the meaning of the National Health Service Act 2006),”, and

(ii) omit paragraph (v), and

(b) in paragraph (5)(a), for “to (v)” substitute “ to (ivc) ”.

(6) In regulation 247 (exemption for supply in the event or anticipation of pandemic disease)—

(a) in paragraph (3)(a), for “, an NHS body or the Health Protection Agency” substitute “ or an NHS body ”, and

(b) after sub-paragraph (3) insert—

“(4) A function of the Ministers under this regulation may be exercised by either of them acting alone or both of them acting jointly (and the reference in this regulation to “the Ministers” is to be read accordingly).”

(7) In Schedule 16 (patient group directions), in the table in Part 2—

(a) after the row relating to an NHS trust or NHS foundation trust insert—

“Local authority	The Chief Executive or Director of Public Health of the local authority”
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(b) omit the row relating to a Primary Care Trust,

(c) in the last row, in column 1—

(i) after paragraph (d) insert—

“(da) a clinical commissioning group;

(db) the National Health Service Commissioning Board;

(dc) a local authority; or”, and

(ii) omit paragraph (f) and the “or” immediately preceding it.

(d) in the last row, in column 2—

(i) after paragraph (c) insert—

“(ca) a clinical commissioning group,

(cb) the National Health Service Commissioning Board,

(cc) a local authority, or”, and

(ii) omit paragraph (e) and the “or” immediately preceding it.

(8) In Schedule 22 (classes of person for the purposes of regulation 249)—

(a) after the entry relating to an NHS Foundation trust insert—

“A local authority in the exercise of public health functions (within the meaning of the National Health Service Act 2006).”,

(b) omit the entry relating to a Primary Care Trust, and

(c) in the entry which follows the entry relating to a Primary Care Trust—

(i) after paragraph (b) insert—

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- “(ba) a clinical commissioning group;
 - (bb) the National Health Service Commissioning Board;
 - (bc) a local authority; or”, and
- (ii) omit paragraph (d) and the “or” immediately preceding it.

Marginal Citations

M171 [S.I. 2012/1916](#).

The Nursing and Midwifery Council (Midwives) Rules 2012

177.—(1) The Nursing and Midwifery Council (Midwives) Rules 2012 ^{M172} are amended as follows.

- (2) In rule 4 (notifications by local supervising authority)—
- (a) in paragraph (1), for “A local supervising authority” substitute “ Each local supervising authority in Wales, Scotland or Northern Ireland ”, and
 - (b) after paragraph (1), insert—
 - “(1A) The local supervising authority in England must publish—
 - (a) the name and address of each of its midwifery officers to one of whom a notice under rule 3(2) or (3) is to be submitted;
 - (b) the date by which a midwife must give notice under rule 3(3).”
- (3) In rule 7 (the local supervising authority midwifery officer)—
- (a) in paragraph (1), for “Each local supervising authority” substitute “ Each local supervising authority in Wales, Scotland or Northern Ireland ”,
 - (b) after paragraph (1) insert—
 - “(1A) The local supervising authority in England must, in accordance with any standards set by the Council under article 43(3) of the Order, appoint an adequate number of midwifery officers who satisfy the relevant qualifications and who are to be responsible for exercising its functions in relation to the supervision of midwives practising in its area.”, and
 - (c) in paragraph (2), for “Those relevant qualifications” substitute “ The relevant qualifications mentioned in paragraphs (1) and (1A) ”.

Marginal Citations

M172 The Rules are Scheduled to the [Nursing and Midwifery \(Midwives\) Rules Order of Council 2012 \(S.I. 2012/3025\)](#).

The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012

178.—(1) The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 ^{M173} are amended as follows.

- (2) In regulation 2 (interpretation)—
- (a) after the definition of “education and library board” insert—

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- “former health service body” means a Strategic Health Authority, a Primary Care Trust or the Health Protection Agency;”, and
- (b) in the definition of “health service body”—
- (i) in paragraph (a), omit sub-paragraph (i),
 - (ii) in paragraph (a), after sub-paragraph (ii) insert—
 - “(ia) a clinical commissioning group;
 - (ib) the National Health Service Commissioning Board;
 - (ic) the National Institute for Health and Care Excellence;
 - (id) the Health and Social Care Information Centre;”, and
 - (iii) in paragraph (a), omit sub-paragraph (iii), and
 - (iv) omit paragraph (d).
- (3) In regulation 5 (disqualification for appointment)—
- (a) in paragraph (1)(b), after “health service body,” insert “ a former health service body, ”,
 - (b) in paragraph (1)(f), after “health service body” insert “ (other than a clinical commissioning group) ”,
 - (c) after paragraph (1)(f) insert—
 - “(fa) is the chair or a member of the governing body of a clinical commissioning group; ”,
 - (d) in paragraph (1)(h), for “health service body,” substitute “ health service body (other than a clinical commissioning group), a former health service body ”, and
 - (e) after paragraph (1)(h) insert—
 - “(ha) is a person who has been removed from office as the chair or a member of the governing body of a clinical commissioning group;”, and
 - (f) in paragraph (3)(a)—
 - (i) after “his being” insert “ (i) ”,
 - (ii) for “health service body,” substitute “ health service body (other than a clinical commissioning group), a former health service body ”, and
 - (iii) after “regulatory person or body;” insert—
 - “or
 - (ii) the chair or a member of the governing body of a clinical commissioning group;”.

Marginal Citations
M173 S.R. 2012/324.

Changes to legislation:

There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013, PART 1.