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STATUTORY INSTRUMENTS

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**2022 No. 1174**

**The Health and Social Care Act (Northern Ireland)  
2022 (Consequential Amendments) Order 2022**

**PART 2**

**The United Kingdom**

**Northern Ireland Assembly Disqualification Act 1975**

**3.** In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975(1) (other disqualifying offices), omit the entry for the chair or any member of the Regional Health and Social Care Board.

**House of Commons Disqualification Act 1975**

**4.** In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975(2) (other disqualifying offices), omit the entry for the chair or any member of the Regional Health and Social Care Board.

**Value Added Tax Act 1994**

**5.** In Part 2 of Schedule 8 (Zero-rated supplies of goods and services: groups) to the Value Added Tax Act 1994(3)—

- (a) in the Notes to Group 12 (zero rating of medical goods and services), omit Note (5H)(c)(4);
- (b) in the Notes to Group 15 (zero rating of goods and services in relation to charities), omit Note (4)(c)(5).

**Merchant Shipping Act 1995**

**6.—(1)** Section 40 of the Merchant Shipping Act 1995(6) (claims against seaman’s wages for maintenance, etc. of dependants) is amended as follows.

(2) In subsection (10), for “a Health and Social Services Board acting on behalf of that Department” substitute “a Health and Social Care trust”.

(3) In subsection (11)—

- (a) for “Health and Social Services Board”, in both places it occurs, substitute “Health and Social Care trust”;

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(1) 1975 c. 25, entry inserted by paragraph 4(1) and (3)(b) of Schedule 6 to the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.)).

(2) 1975 c. 24; Part 3 of Schedule 1 was amended by S.I. 2010/762. There are other amendments not relevant to this Order.

(3) 1994 c. 23.

(4) Note (5H)(c) was substituted by S.I. 2016/620.

(5) Note (4)(c) was substituted by S.I. 2016/620.

(6) 1995 c. 21.

- (b) for the words from “such a Board” to the end substitute “a Health and Social Care trust established under the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)).”.

### **Immigration and Asylum Act 1999**

7.—(1) The Immigration and Asylum Act 1999(7) is amended as follows.

(2) In section 110(9)(8) (payments to local authorities: definition of “Northern Ireland authority”)—

- (a) omit paragraph (b) and the “or” at the end of that paragraph;
- (b) in paragraph (c), for “Health and Social Services trust” substitute “Health and Social Care trust”.

(3) In Schedule 9 (asylum support: interim provisions), in paragraph 1(3), for the words from “a Health and Social” to “1972” substitute “a Health and Social Care trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1))(9)”.

### **Regulation of Investigatory Powers Act 2000**

8. In Schedule 1 to the Regulation of Investigatory Powers Act 2000(10) (relevant public authorities)—

- (a) in paragraph 35(11), for “Health and Social Services trust” substitute “Health and Social Care trust”;
- (b) omit paragraph 36(12);
- (c) for paragraph 38(13) substitute—

“38. The Regional Business Services Organisation.”.

### **Nationality, Immigration and Asylum Act 2002**

9. In section 133(4)(d) of the Nationality, Immigration and Asylum Act 2002(14) (medical inspectors: health service bodies)—

- (a) omit sub-paragraph (i);
- (b) in sub-paragraph (ii), for “Health and Social Services trust” substitute “Health and Social Care trust”.

### **Finance Act 2003**

10.—(1) The Finance Act 2003(15) is amended as follows.

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(7) 1999 c. 33.

(8) Section 110(9)(b) was amended, and section 110(9)(c) was inserted, by section 60(1) of the Nationality, Immigration and Asylum Act 2002 (c. 41).

(9) Article 10 was amended by sections 43(1), 43(2) and 44(1) of the Health and Personal Social Services Act (Northern Ireland) 2001, paragraphs 1(1) and 13(7) of Schedule 6 to the Health and Social Care (Reform) Act (Northern Ireland) 2009, S.I. 1994/429 and S.I. 1997/1177.

(10) 2000 c. 23.

(11) Paragraph 35 was inserted by SR 2002/183.

(12) Paragraph 36 was inserted by SR 2002/183.

(13) Paragraph 38 was inserted by SR 2002/183.

(14) 2002 c. 41, to which there are other amendments not relevant to this Order.

(15) 2003 c. 14, to which there are amendments not relevant to this Order.

(2) In section 61(3) (compliance with planning obligations: public authorities), in the table, under the heading “Health: Northern Ireland”—

- (a) for the entry relating to a Health and Social Services Board, substitute “The Regional Agency for Public Health and Social Well-being”;
- (b) in the entry relating to a Health and Social Services Trust, for “Health and Social Services Trust” substitute “Health and Social Care trust”.

(3) In section 66(4) (transfers involving public bodies), in the table, under the heading “Health: Northern Ireland”—

- (a) for the entry relating to a Health and Social Services Board, substitute “The Regional Agency for Public Health and Social Well-being”;
- (b) in the entry relating to a Health and Social Services Trust, for “Health and Social Services Trust” substitute “Health and Social Care trust”.

### Corporation Tax Act 2010

**11.** In section 986 of the Corporation Tax Act 2010(16) (meaning of “health service body”), in the table—

- (a) omit the entry relating to a Health and Social Services Board;
- (b) omit the entry relating to the Northern Ireland Central Services Agency for the Health and Social Services;
- (c) after the entry relating to “a Primary Care Trust” insert—

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| “the Regional Agency for Public Health and Social Well-being | section 12(1) of the Health and Social Care (Reform) Act (Northern Ireland) 2009   |
| the Regional Business Services Organisation                  | section 14(1) of the Health and Social Care (Reform) Act (Northern Ireland) 2009”. |

### Data Protection Act 2018

**12.**—(1) The Data Protection Act 2018(17) is amended as follows.

(2) Omit section 204(4)(p) (meaning of “health service body”: the Regional Health and Social Care Board).

(3) In Schedule 3 (exemptions etc from the UK GDPR: health, social work, education and child abuse data), in paragraph 8—

- (a) in sub-paragraph (1)(b), for “the Regional Health and Social Care Board” substitute “the Department of Health in Northern Ireland or any person or body exercising functions by virtue of paragraph 22A of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991(18)”;

(16) 2010 c. 4, to which there are amendments not relevant to this Order.

(17) 2018 c. 12.

(18) Paragraph 22A of Schedule 3 was inserted by paragraph 148(8) of Schedule 1 to the Health and Social Care Act (Northern Ireland) 2022 (c. 3 (N.I.)).

- (b) in sub-paragraph (1)(c), for sub-paragraph (i) substitute—
- “(i) in the exercise of social care and children functions within the meaning of Article 10A of the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(19)</sup>,
  - (ia) in connection with the provision of social care within the meaning of section 2(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.)) by virtue of a delegation direction under Article 10B of the Health and Personal Social Services (Northern Ireland) Order 1991<sup>(20)</sup>, or”.

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<sup>(19)</sup> Article 10A was inserted by paragraph 142 of Schedule 1 to the Health and Social Care Act (Northern Ireland) 2022.

<sup>(20)</sup> Article 10B was inserted by paragraph 143 of Schedule 1 to the Health and Social Care Act (Northern Ireland) 2022.