

2001 CHAPTER 3

PART IV

MISCELLANEOUS AND GENERAL

General

Orders, regulations and directions

57.—(1) Subject to [F1subsection (2)] , any regulations or orders made by the Department under this Act shall be subject to negative resolution.

(2) Subsection (1) does not apply to—

- (a) an order under section 56;
- (b) an order under section 58 which contains only provision for or in connection with the transfer of any property, rights or liabilities; or
- (c) an order under section 61(2).

(3) Regulations or orders under this Act may contain—

- (a) any supplementary, incidental or consequential provision;
- (b) any transitory, transitional or saving provision,

which the Department considers necessary or expedient.

(4) Section 17(2) of the Interpretation Act (Northern Ireland) 1954 (c. 33) shall apply to a direction given by the Department under this Act as if the direction were a statutory instrument.

F1 Words in s. 57(1) substituted (13.5.2016) by [Health and Personal Social Services \(Amendment\) Act \(Northern Ireland\) 2016 \(c. 23\)](#), ss. 6(6), 8

Changes to legislation: There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Cross Heading: General. (See end of Document for details)

Supplementary and consequential provision

58.—(1) The Department may by order make—

- (a) such supplementary, incidental or consequential provision; or
- (b) such transitory, transitional or saving provision,

as it considers necessary or expedient for the purposes of, in consequence of, or for giving full effect to, any provision of this Act.

(2) The provision which may be made under subsection (1) includes provision amending or repealing any statutory provision, instrument or document.

Interpretation

59.—(1) In this Act “the principal Order” means the Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14).

(2) Except where any provision of this Act otherwise provides, any word or expression to which a meaning is assigned by Article 2(2) [^{F2}or (2A)] of the principal Order has the same meaning in this Act as in that Order.

F2 Words in s. 59(2) inserted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 18\(3\)](#); S.R. 2009/114, [art. 2](#)

Amendments and repeals

60.—(1) In Article 8(1)(b) of the 1991 Order (health and [^{F3}social care] contracts) for “(f) to (j)” there shall be substituted “(g) to (j)”.

(2) In Article 21(1) of that Order (indicative amount for doctors' practices) for “paragraphs (2) and (8)” there shall be substituted “paragraph (8)”.

(3) The statutory provisions specified in Schedule 5 are repealed to the extent specified in the second column of that Schedule.

F3 Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 1\(1\)\(a\)](#) (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, [art. 2](#)

Short title and commencement

61.—(1) This Act may be cited as the Health and Personal Social Services Act (Northern Ireland) 2001.

(2) Parts I to III, sections 56 and 60 and the Schedules to this Act shall come into operation on such day or days as the Department may by order appoint^{F4}; but section 39 shall not be brought into operation by such an order before 1 April 2002.

Changes to legislation: *There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Cross Heading: General. (See end of Document for details)*

F4 partly exercised by SRs 2001/128, 324; SRs 2002/73, 180; SR2003/69, SR2004/107, SR 2005/226

Changes to legislation:

There are currently no known outstanding effects for the Health and Personal Social Services Act (Northern Ireland) 2001, Cross Heading: General.