



Health and Medicines Act 1988

1988 CHAPTER 49

General and supplementary

26 Commencement and transitional.

- (1) The provisions of this Act to which this subsection applies shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed in pursuance of this subsection for different provisions or different purposes of the same provision.
- (2) Subsection (1) above applies to the following provisions of this Act—
 - section 8;
 - section 9;
 - section 11;
 - section 12;
 - section 13;
 -^{F1};
 - section 25(1), so far as it relates to paragraphs 3, 4, 5, 8, 10, 11, 12 and 15 of Schedule 2 to this Act, and to paragraphs 1 and 9 of that Schedule to the extent that they have effect for the purposes of those paragraphs;
 - section 25(2), so far as it relates—
 - (a) to the ^{M1}National Health Service Act 1966;
 - (b) to the ^{M2}Superannuation Act 1972;
 - (c) to sections 37(a), 78(1) and 79(1) of the ^{M3}National Health Service Act 1977 and Schedules 12 and 15 to that Act;
 - (d) to sections 4(1), 70(1) and 71(1) of the ^{M4}National Health Service (Scotland) Act 1978 and Schedules 11 and 16 to that Act;
 - (e) to sections 17 and 19 of the ^{M5}Health Services Act 1980;
 - (f) to the ^{M6}Health and Social Security Act 1984;
 - (g) to the ^{M7}Companies Consolidation (Consequential Provisions) Act 1985.
- (3) The provisions of this Act to which this subsection applies shall come into force on the day this Act is passed.

Changes to legislation: Health and Medicines Act 1988, Section 26 is up to date with all changes known to be in force on or before 19 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) Subsection (3) above applies to the following provisions of this Act—
 section 1 (including Schedule 1) and sections 2 to 6;
 section 17(3);
 section 19;
 section 21;
 section 22;
 section 25(2), so far as it relates to section 28(4) of the ^{M8}National Health Service Act 1977;
 this section;
 section 27;
 section 28;
- (5) Subject to the foregoing provisions of this section, this Act shall come into force at the end of the period of two months beginning with the day this Act is passed.
- (6) The Secretary of State may by regulations made by statutory instrument make—
 (a) such transitional provision;
 (b) such consequential provision; and
 (c) such savings,
 as he considers necessary or expedient in preparation for or in connection with the coming into force of any provision of this Act or the operation of any enactment which is repealed or amended by a provision of this Act during any period when the repeal or amendment is not wholly in force.
- (7) Regulations under this section may modify any enactment contained in this or in any other Act and any instrument made under an Act of Parliament.
- (8) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F1 Words repealed by [Opticians Act 1989 \(c. 44, SIF 83:1\)](#), s. 37(4), **Sch. 2**

Modifications etc. (not altering text)

C1 Power of appointment conferred by s. 26(1) fully exercised: [S.I. 1988/2107](#), 1989/111, 337, 826, 1229, 1896, 1984

Marginal Citations

M1 [1966 c. 8.](#)
M2 [1972 c. 11.](#)
M3 [1977 c. 49.](#)
M4 [1978 c. 29.](#)
M5 [1980 c. 53.](#)
M6 [1984 c. 48.](#)
M7 [1985 c. 9.](#)
M8 [1977 c. 49.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 11 words repealed by [2005 asp 13 sch. 3](#)