



# National Health Service Reform and Health Care Professions Act 2002

## 2002 CHAPTER 17

### PART 1

#### NATIONAL HEALTH SERVICE, ETC

##### *NHS bodies and their functions: England*

## **2 Primary Care Trusts**

- (1) Section 16A of the 1977 Act (which provides for the establishment of Primary Care Trusts) is amended as provided in subsections (2) and (3).
- (2) For subsection (1) there is substituted—
  - “(1) It is the duty of the Secretary of State to establish bodies to be known as Primary Care Trusts for areas in England with a view to their exercising functions in relation to the health service.
  - (1A) The Secretary of State shall act under this section so as to ensure that the areas for which Primary Care Trusts are at any time established together comprise the whole of England.”
- (3) In subsection (3), after “the area” there is inserted “of England”.
- (4) Schedule 5A to the 1977 Act (which makes further provision about Primary Care Trusts) is amended as follows—
  - (a) in paragraph 2(3)—
    - (i) for “the Health Authority in whose area a Primary Care Trust is established to meet the costs” there is substituted “a Strategic Health Authority whose area includes any part of the area of a Primary Care Trust to meet costs”, and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) in paragraph (b), after “meet” there is inserted “(or to contribute towards its meeting)”;
  - (b) in paragraph 2(4), for “the Health Authority in whose area a Primary Care Trust is established” there is substituted “a Strategic Health Authority whose area includes any part of the area of a Primary Care Trust”;
  - (c) in paragraph 16(1), for “the Health Authority within whose area the trust’s area falls” there is substituted “each Strategic Health Authority whose area includes any part of the trust’s area”, and
  - (d) in paragraph 16(3), for “the Health Authority within whose area the trust’s area falls” there is substituted “any Strategic Health Authority whose area includes any part of the trust’s area”.
- (5) Schedule 2 (which contains amendments of the 1977 Act and of other enactments to reallocate functions of Health Authorities to Primary Care Trusts and to make certain connected amendments) is to have effect.