National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 3

MISCELLANEOUS

42 Short title, interpretation, commencement and extent

(1) This Act may be cited as the National Health Service Reform and Health Care Professions Act 2002.

(2) In this Act—

F1 …

"the 1999 Act" means the Health Act 1999 (c. 8),

F1 …

(3) This Act, apart from—

(a) this section and sections 38 to 41, and

(b) any other provision of this Act so far as it confers any power to make an order or regulations under this Act,

shall come into force on such day as the appropriate authority may by order appoint, and different days may be appointed for different provisions and for different purposes.

(4) In subsection (3), the "appropriate authority" is—

(a) in relation to sections 1 to 5, 7, 8, 15 to 22, Part 2, and section 36, the Secretary of State,

(b) in relation to sections 11 to 14, the Secretary of State after consulting the National Assembly for Wales,

(c) in relation to sections 6, 9 and 24, the National Assembly for Wales,

(d) in relation to sections 10 and 23—

(i) the Secretary of State, in relation to England, and

Changes to legislation: *National Health Service Reform and Health Care Professions Act 2002, Section 42 is up to date with all changes known to be in force on or before 19 June 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*

(ii) the National Assembly for Wales, in relation to Wales,

(e) in relation to section 37—

(i) the Secretary of State, as respects any amendment or repeal consequential on provisions falling within paragraph (a),

(ii) the Secretary of State, after consulting the National Assembly for Wales, as respects any amendment or repeal consequential on provisions falling within paragraph (b),

(iii) the National Assembly for Wales, as respects any amendment or repeal consequential on provisions falling within paragraph (c),

(iv) otherwise, the Secretary of State, in relation to England, and the National Assembly for Wales, in relation to Wales.

(5) Subject to subsection (6), this Act extends to the whole of the United Kingdom, except for Part 1, which extends to England and Wales only.

(6) The extent of any amendment or repeal made by this Act is the same as that of the enactment amended or repealed.

(7) **[**[F2]Subsection (6) does not apply to the amendment of the Police Act 1997 (c. 50) made by paragraph 64 of Schedule 2, which extends to England and Wales only.**]**

(8) The Secretary of State may by order provide that so much of this Act as extends to England and Wales is to apply to the Isles of Scilly with such modifications (if any) as are specified in the order; but otherwise this Act does not extend there.

Subordinate Legislation Made

P1 S. 42(3) power partly exercised: different dates appointed for specified provisions and purposes by S.I. 2002/2202, **arts. 2**, 3; 1.10.2002 appointed for specified provisions and purposes by S.I. 2002/2478, **arts. 3**, 5 (with arts. 2(2), 3(3), 4)

S. 42(3)(4)(c)(d)(e)(iii)(iv) power partly exercised: 10.10.2002 appointed for specified provisions and purposes by S.I. 2002/2532, art. 2, **Sch.**

S. 42(3) power partly exercised: 1.1.2003 appointed for specified provisions and purposes by S.I. 2002/3190, **art. 2**; 1.4.2003 appointed for specified provisions and purposes by S.I. 2003/833, **arts. 2**, 3 (with art. 4)

Textual Amendments

F1 Words in s. 42(2) repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)

F2 S. 42(7) repealed (E.W.) (6.4.2006) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 11**; S.I. 2006/751, art. 2(d)(iv)

Changes to legislation:
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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):

- s. 17(1)(fb) substituted for s. 17(1)(fa) by 2006 c. 28 Sch. 8 para. 50(a) (Effect not applied. The amending provision was repealed 1.3.2007 by 2006 (c. 43), s. 8(2), Sch. 4)
- s. 26(4)(d) and word inserted by S.I. 2024/374 Sch. 5 para. 4(2)(b)
- s. 29(1)(ha)-(hc) inserted by S.I. 2024/374 Sch. 5 para. 4(3)(a)
- s. 29(7B) inserted by S.I. 2024/374 Sch. 5 para. 4(3)(c)