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STATUTORY INSTRUMENTS

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**1998 No. 564**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The National Health Service (Remuneration and  
Conditions of Service) (Amendment) Regulations 1998**

<i>Made</i>	- - - -	<i>5th March 1998</i>
<i>Laid before Parliament</i>		<i>11th March 1998</i>
<i>Coming into force</i>	- -	<i>1st April 1998</i>

The Secretary of State for Health, in exercise of powers conferred on him by section 126(4) of and paragraph 10(1) of Schedule 5 to the National Health Service Act 1977<sup>(1)</sup> and of all other powers enabling him in that behalf and after consultation in accordance with paragraph 11(1) of that Schedule with bodies recognised by him as representing persons likely to be affected by these Regulations, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Remuneration and Conditions of Service) (Amendment) Regulations 1998 and shall come into force on 1st April 1998.

(2) In these Regulations “the principal Regulations” means the National Health Service (Remuneration and Conditions of Service) Regulations 1991<sup>(2)</sup>.

**Amendment of regulation 1 of the principal Regulations**

2. In regulation 1 of the principal Regulations for the definition of “authority” substitute—  
““authority” means a Health Authority or a Special Health Authority;”.

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(1) 1977 c. 49; section 126(4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”); see section 128(1), as amended by section 26(2)(g) and (i) of the 1990 Act for the definition of “regulations”; paragraph 10 of Schedule 5 was amended by paragraph 3 of Schedule 6 to the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), by paragraph 14 of Schedule 3 to the Health and Social Security Act 1984 (c. 48), by paragraph 8 of Schedule 1 to the 1990 Act and by paragraph 60(c) of Schedule 1 to the Health Authorities Act 1995 (c. 17).

(2) S.I. 1991/481.

**Amendment of regulation 2 of the principal Regulations**

**3.** In regulation 2 of the principal Regulations (remuneration of officers), after paragraph (b) add the following paragraph—

“(c) of an officer to whom neither paragraph (a) nor (b) applies shall be the remuneration determined by the authority.”.

Signed by authority of the Secretary of State for Health

5th March 1998

*Alan Milburn*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Remuneration and Conditions of Service) Regulations 1991.

Regulation 2 amends the definition of “authority” to take account of changes made by the Health Authorities Act 1995 (c. 17).

Regulation 3 amends regulation 2 of the principal Regulations to provide that Health Authorities or Special Health Authorities are (subject to any directions) to determine the remuneration of their employees in respect of whom the Secretary of State does not recognise any negotiating body and has not himself determined remuneration.