

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to certain Acts and statutory instruments consequent upon, or supplementary to, the provisions of the Health Act 1999 (“the 1999 Act”) brought into force by the Health Act 1999 (Commencement No. 5) Order 1999 (S.I. 1999/2793 (c. 69)). In particular it makes amendments as a consequence of the establishment of the Commission for Health Improvement by section 19 of the Act.

Article 2(2) amends section 84 of the National Health Service Act 1977 (“the 1977 Act”) to provide that an inquiry may be caused to be held in connection with matters arising under Part I of the 1999 Act, with the exception of sections 33 to 38 (control of prices of medicines and profits). Article (2)(3) amends section 85 of the 1977 Act to provide that the default powers conferred by that section may be exercised in respect of a health service body failing to carry out functions conferred or imposed on them by or under Part I of the 1999 Act.