
 S T A T U T O R Y I N S T R U M E N T S

2000 No. 661**NATIONAL HEALTH SERVICE, ENGLAND**
**The National Health Service (Functions of Health
 Authorities) (Prescribing Incentive Schemes) Amendment
 Regulations 2000**

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|-------------------------------|------------------------|
| <i>Made</i> - - - - - | <i>9th March 2000</i> |
| <i>Laid before Parliament</i> | <i>10th March 2000</i> |
| <i>Coming into force</i> - - | <i>1st April 2000</i> |

The Secretary of State, in exercise of the powers conferred upon him by sections 16(4) and 126(4) of the National Health Service Act 1977(a), and of all other powers enabling him in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Functions of Health Authorities) (Prescribing Incentive Schemes) Amendment Regulations 2000 and shall come into force on 1st April 2000.

(2) In these Regulations “the principal Regulations” means the National Health Service (Functions of Health Authorities) (Prescribing Incentive Schemes) Regulations 1998(b).

(3) These Regulations extend to England only.

Amendment of the principal Regulations

2.—(1) In regulation 1(2) of the principal Regulations (interpretation), in sub-paragraph (b) of the definition of “practice” the words from “and who” to “the National Health Service (Fund Holding Practices) Regulations 1996; and” shall be omitted.

(2) At the end of regulation 1(2) of the principal Regulations there shall be added—
 ““primary care group” means a committee appointed under regulation 14(1) of the Health Authorities (Membership and Procedure) Regulations 1996(c) in accordance with the Secretary of State’s directions dated 15th October 1998(d).”.

(a) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 16(4) was inserted by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 9. Section 126(4) was amended by the 1990 Act, section 65(2); and by the 1999 Act, Schedule 4, paragraph 37(6). As regards Wales, the functions of the Secretary of State under sections 16(4) and 126(4) of the 1977 Act are transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; these Regulations therefore extend only to England.

(b) S.I. 1998/632.

(c) S.I. 1996/707 as amended by S.I. 1997/2991, 1998/648 and 1998/2621.

(d) Directions by the Secretary of State to Health Authorities regarding the Establishment of Primary Care Groups. A copy of these directions may be obtained by writing to the Department of Health, PC GMS, Room 7E60 Quarry House, Quarry Hill, Leeds LS2 7UE.

(3) At the end of regulation 2 of the principal Regulations (prescribed function of Health Authorities), there shall be added the following paragraph—

“(2) The function referred to in paragraph (1) of this regulation shall be exercised on behalf of each Health Authority by any primary care group to whom a Health Authority has delegated functions in accordance with the directions dated 25th March 1999(a).”.

Signed by authority of the Secretary of State for Health

9th March 2000

Hun
Parliamentary Under Secretary of State
Department of Health

(a) Directions by the Secretary of State to Health Authorities as to the Functions of Primary Care Groups dated 25th March 1999. A copy of these may be obtained by writing to the Department of Health, PC GMS, Room 7E60 Quarry House, Quarry Hill, Leeds LS2 7UE.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Functions of Health Authorities) (Prescribing Incentive Schemes) Regulations 1998 which confer a function on Health Authorities to establish and operate prescribing incentive schemes.

Regulation 2(1) amends regulation 1(2) of the principal Regulations to remove the reference to fund-holding practices in the definition of “practice” because these ceased to have effect under section 1 of the Health Act 1999, and regulation 2(2) adds a definition of “primary care group”.

Regulation 2(3) provides that any primary care group to whom a Health Authority has delegated functions in accordance with directions, shall exercise the function on behalf of Health Authorities.

STATUTORY INSTRUMENTS

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