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STATUTORY INSTRUMENTS

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**2001 No. 270 (C.16)**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Health Act 1999 (Commencement No. 10) Order 2001**

*Made* - - - - *30th January 2001*

The Secretary of State for Health, in exercise of the powers conferred on him by section 67(1) and (2) of the Health Act 1999(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, interpretation and extent**

- 1.—(1) This Order may be cited as the Health Act 1999 (Commencement No. 10) Order 2001.
- (2) In this Order, “the Act” means the Health Act 1999.
- (3) This Order extends only to England and Wales.

**Appointed day**

2. 9th February 2001 is the day appointed for the coming into force of—
  - (a) section 39 of the Act, in so far as it is not already in force;
  - (b) section 65(2) of the Act, in so far as it relates to the provisions of Schedule 5 to the Act specified in paragraph (c) of this article; and
  - (c) in Schedule 5 to the Act (repeals), the repeals relating to the provisions specified in column (1) of the Schedule to this Order, to the extent specified in column (2) of that Schedule.

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(1) 1999 c. 8. The power of the Secretary of State under section 67 of the Act to appoint a day for the coming into force of the provisions brought into force by this Order in relation to Wales is not exercisable by the National Assembly for Wales (see section 66(2) of the Act).

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Signed by authority of the Secretary of State for Health

30th January 2001

*Hunt*  
Parliamentary Under Secretary of State,  
Department of Health

## SCHEDULE

Article 2(c)

## PROVISIONS OF THE ACT COMING INTO FORCE ON 9th FEBRUARY 2001

<i>Column (1)</i> <i>Provisions to which repeals in Schedule 5 relate</i>	<i>Column (2)</i> <i>Extent to which repeal is to come into force</i>
The National Health Service Act 1977 Sections 22(2) to (6), 28A(4) and (8)(a) and 122(2)(2)	Fully
The Health Service Joint Consultative Committee (Access to Information) Act 1986(3)	Fully

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order brings into force on 9th February 2001 section 39 of the Health Act 1999 in relation to Wales, and, in relation to England, repeals in Schedule 5 to the Act which are consequential upon provisions of the Act brought into force by earlier Commencement Orders.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS***(This note is not part of the Order)*

The following provisions of the Health Act 1999 have been, or are to be, brought into force by commencement order made before the date of this Order. In addition to the provisions listed below, various provisions of Part II of, and Schedules 4 and 5 to, the Act that extend only to Scotland have been brought into force on 1st October 1999 by the [Health Act 1999 \(Commencement No. 4\) \(Scotland\) Order 1999, S.S.I. 1999/90 \(C. 66\)](#), on 14th October 1999 by the [Health Act 1999 \(Commencement No. 6\) \(Scotland\) Order 1999, S.S.I. 1999 No. 115 \(C. 73\)](#) and on 1st March 2000 by the [Health Act 1999 \(Commencement No. 7\) \(Scotland\) Order 2000, S.S.I. 2000 No. 38 \(C. 2\)](#).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 1 as to England	1.10.99	1999/2540
as to Wales	1.4.00	2000/1026
s. 2 as to England		
(partially)	8.9.99	1999/2342
(remainder)	4.1.00	1999/2342
s. 3 as to England	1.4.00	1999/2342

(2) 1977 c. 49.

(3) 1986 c. 24.

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 4 as to England		
(partially)	1.9.99	1999/2342
(remainder)	1.4.00	1999/2342
s. 5 as to England (partially)	4.1.00	1999/2342
s. 6(1) as to England	4.1.00	1999/2342
s. 7 as to England	4.1.00	1999/2342
s. 8 as to England	1.9.99	1999/2342
s. 9 as to England	1.4.00	1999/2793
as to Wales	1.4.00	2000/1041
s. 11 as to England	1.9.99	1999/2342
as to Wales	1.4.00	2000/1026
s. 12 as to England		
(partially)	1.9.99	1999/2342
(remainder)	4.1.00	1999/2342
as to Wales (partially)	1.12.99	1999/3184
ss. 13 and 14 as to England	1.10.99	1999/2540
as to Wales	1.11.99	1999/3184
ss. 15 to 17 as to England	1.9.99	1999/2342
as to Wales	1.11.99	1999/3184
s. 18 as to England		
(partially)	1.11.99	1999/2793
(remainder)	4.1.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184
s. 19	1.11.99	1999/2793
s. 20 as to England and Wales (partially)	1.11.99	1999/2793
as to England (remainder)	4.1.00	1999/2793
s. 21 as to England	4.1.00	1999/2793
as to Wales	1.4.00	2000/1041
ss. 23 to 25	1.11.99	1999/2793
ss. 26 to 27 as to England	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
s. 28 as to England	1.4.00	1999/2793
as to Wales (partially)	1.11.99	1999/3184

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 29 as to England		
(partially)	1.11.99	1999/2793
(remainder)	1.4.00	1999/2793
as to Wales (partially)	1.12.00	2000/2991
ss. 30 to 32 as to England	1.4.00	1999/2793
ss. 30 and 31 as to Wales (partially)	1.12.00	2000/2991
s. 32 as to Wales	1.1.01	2000/2991
s. 33(1) to (6) (partially)	1.9.99	1999/2177
s. 34 (partially)	3.8.99	1999/2177
(remainder)	1.11.99	1999/2177
s. 36 (partially)	3.8.99	1999/2177
s. 37 (partially)	3.8.99	1999/2177
s. 37(1) to (9) (remainder)	1.11.99	1999/2177
s. 38 (partially)	3.8.99	1999/2177
(partially)	1.9.99	1999/2177
(partially)	1.11.99	1999/2177
s. 39 as to England	1.11.99	1999/2793
s. 41	1.4.00	1999/2793
ss. 42 to 44	1.10.99	1999/2540
s. 60 (partially)	15.3.00	2000/779
s. 62	3.8.99	1999/2177
s. 63	3.8.99	1999/2177
s. 64	3.8.99	1999/2177
Schedule 1		
as to England (partially)	8.9.99	1999/2342
as to England (partially)	4.1.00	1999/2342
as to England (remainder)	1.4.00	1999/2342
Schedule 2	1.11.99	1999/2793
Schedule 4 (and s. 65(1) in so far as it relates to the paragraphs specified below)—		
paragraphs 4 (partially), 6, 9 (partially), 12(1) (partially), 12(3)(b), 24, 26, 30(1) (partially),	1.9.99	1999/2342

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 37(5) and (6), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 84, 88(1) (partially) and 88(5) as to England	1.10.99	<a href="#">1999/2540</a>
paragraphs 8 (partially), 15, 27(a) (partially), 71 (partially), 83(1) (partially), 83(6), 85(1) (partially), 85(3) and (4), 88(1) (partially), 88(6) and 90 as to England	1.11.99	<a href="#">1999/2793</a>
paragraphs 4 (partially), 14(1), (3) and (4) (partially), 14(2) and paragraph 36 as to England	1.11.99	<a href="#">1999/2793</a>
paragraphs 74 (partially), 76(a)(ii), 81(1) (partially) and 81(2)(b) as to England and Wales	1.11.99	<a href="#">1999/2793</a>
paragraphs 4 (partially), 37(1) (partially), 37(5) and (6), 79(1) (partially) and 79(2)(a) and (c) as to Wales	1.11.99	<a href="#">1999/3184</a>
paragraphs 4 (partially), 5, 6, 9 (partially), 12(1) (partially), 12(3)(b), 15, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 88(1) (partially) and 88(5) as to Wales	1.12.99	<a href="#">1999/3184</a>
paragraphs 1, 3, 4 (partially), 5, 7, 9 (remainder), 10, 11, 12 (remainder), 13, 23, 25, 27(a) (remainder), 28, 29, 30 (remainder), 34 (remainder), 37	4.1.00	<a href="#">1999/2342</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
(remainder), 38(1) (partially), 38(2)(a) and (c), 38(3) (remainder), 40, 71 (remainder), 74 (partially), 77 to 79, 81 (except (2)(b)), 83(1) to (5) and (7) (remainder), 87, 88(1) to (5) (remainder) and 89 as to England		
paragraphs 74 (partially), 76(a)(i), 85(1) (partially) and 85(2)(a) as to England and Wales	4.1.00	<a href="#">1999/2342</a>
paragraphs (4) (partially) and 16 as to England	4.1.00	<a href="#">1999/2540</a>
paragraphs 4 (partially), 31 (remainder), 33 and 35 as to England	1.4.00	<a href="#">1999/2342</a>
paragraphs 4 (partially), 14 (remainder) and 72 as to England	1.4.00	<a href="#">1999/2793</a>
paragraphs 73, 74 (partially), 82 and 86 as to England and Wales	1.4.00	<a href="#">1999/2342</a>
paragraphs 4 (partially), 27(b), 38(1) (partially), 38(2)(b) and (d) and 65 to 69 as to England and Wales	1.4.00	<a href="#">1999/2793</a>
paragraphs 4 (partially), 8 (partially), 24, 27(a) (partially), 71(a) and (b), 74 (partially), 83(6), 84, 85(4) and 90 as to Wales	1.4.00	<a href="#">2000/1026</a>
paragraphs 4 (partially) and 14 (partially) as to Wales	1.12.00	<a href="#">2000/2991</a>
paragraphs 4 (partially), 14 (partially) and 72 as to Wales	1.1.01	<a href="#">2000/2991</a>
Schedule 5 (and s. 65(2))—		
as to England (partially)	1.10.99	<a href="#">1999/2540</a>
as to England (partially)	1.11.99	<a href="#">1999/2793</a>

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as to England and Wales (partially)	1.11.99	<a href="#">1999/2793</a>
as to England and Wales (partially)	1.4.00	<a href="#">1999/2793</a>
as to the United Kingdom (partially)	1.11.99	<a href="#">1999/2793</a>
as to England and Wales (partially)	1.4.00	<a href="#">2000/1041</a>