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STATUTORY INSTRUMENTS

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**2002 No. 2375**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002**

*Made* - - - - *17th September 2002*  
*Laid before Parliament* *17th September 2002*  
*Coming into force* - - *1st October 2002*

The Secretary of State for Health, in exercise of the powers conferred on him by section 63(5A) of the Health Services and Public Health Act 1968(1), and sections 16, 16B, 16D, 17, 17A(4), 18, 51(2) and 126 of the National Health Service Act 1977(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

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- (1) 1968 c. 46. Section 63 was amended by the National Health Service Reorganisation Act 1973 (c. 32), Schedule 4, paragraph 124 and Schedule 5, the National Health Service Act 1977 (c. 49) (“the 1977 Act”), Schedule 15, paragraph 45, the National Health Service (Scotland) Act 1978 (c. 29), Schedule 16, paragraph 26(2), the Health Services Act 1980 (c. 53) (“the 1980 Act”), Schedule 1, paragraph 19(3), the Local Government Act 1985 (c. 51), Schedule 17, S.I. 1985/89, article 6(1), the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 20 and Schedule 3, and the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 95 (which also added subsection (5A)), the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”), Schedule 2, paragraph 1(4), the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 3. The functions of the Secretary of State under section 63(5A) are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of and the entry for the 1968 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672. See also the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”), section 68(1).
- (2) 1977 c. 49. Section 16 was substituted by the 1999 Act, Schedule 4, paragraph 9 and amended by the 2002 Act, Schedule 1, paragraph 3; section 16B was inserted by the 1999 Act, section 2(1) and amended by the 2002 Act, Schedule 1, paragraph 4; section 16D was substituted by the 1999 Act, section 12(1) and amended by the 2002 Act, section 3(2) and Schedule 1, paragraph 6; section 17 was substituted by the 1999 Act, section 12(1) and amended by the 2002 Act, Schedule 1, paragraph 7; section 17A was substituted by the 2002 Act, section 3(3); section 18, subsections (1) to (1B) were substituted by the 1999 Act, section 12(3) and amended by the 2002 Act, Schedule 1, paragraph 9; section 51 was amended by the 1995 Act, Schedule 1, paragraph 35 (which also added subsection (2)), by the 1999 Act, Schedule 4, paragraph 23 and by the 2002 Act, Schedule 1, paragraph 19; section 126(3) and (4) was amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 65(2), the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, paragraph 27, the 1999 Act, Schedule 4, paragraph 37 and the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”), Schedule 5, paragraph 5(13)(b); see section 128(1), as amended by section 26(2)(i) and (g) of the 1990 Act, for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of, and the entry for the 1977 Act in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act. See also the 2001 Act, section 68 and the 2002 Act, section 40.