
STATUTORY INSTRUMENTS

2002 No. 2375

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

Functions relating to pilot schemes

4.—(1) Subject to regulation 6, the functions relating to pilot schemes under Part 1 of the 1997 Act (pilot schemes for primary care) specified in paragraphs (2) to (6) are to be exercisable by Strategic Health Authorities and Primary Care Trusts in accordance with those paragraphs.

(2) The functions of the Secretary of State under sections 5 (approval of pilot schemes), 6(3) (making of pilot schemes), except in so far as it relates to the giving of directions under subparagraph (a) of that section, and 8(1), (2) and (4) (variation and termination of pilot schemes) are to be exercisable by Strategic Health Authorities except where the Primary Care Trust in whose area the pilot scheme or proposed pilot scheme is situated is itself the provider or proposed provider of services under that pilot scheme.

(3) The functions of the Secretary of State under section 13 and Schedule 1 (preferential treatment on transferring to medical lists) and section 16 (NHS contracts) are to be exercisable by Primary Care Trusts except where the Primary Care Trust in whose area the pilot scheme or proposed pilot scheme is situated is itself the provider or proposed provider of services under that pilot scheme, when they are to be exercisable by the appropriate Strategic Health Authority.

(4) Subject to paragraph (6), the functions of Strategic Health Authorities specified in paragraph (5) are to be exercisable by Primary Care Trusts and each Strategic Health Authority must direct each Primary Care Trust in relation to which it is the appropriate Strategic Health Authority to exercise those functions to that extent.

(5) The functions referred to in paragraph (4) are—

- (a) the functions conferred on Strategic Health Authorities by sections 4(1) to (3) (proposals for pilot schemes), 6(1) and (4) (making of pilot schemes) and 18(1) (funding of preparatory work); and
- (b) the functions in relation to pilot schemes conferred on Strategic Health Authorities under—
 - (i) the National Health Service (Pilot Schemes: Miscellaneous Provisions and Consequential Amendments) Regulations 1998(1), regulation 3 (prescribed functions of Health Authorities and Health Boards), and
 - (ii) the National Health Service (Functions of Health Authorities) (England) (Support of Provision of Services and Appraisal) Regulations 2002(2), regulation 2 (prescribed functions of health authorities).

(6) Paragraph (4) does not apply to the functions specified in paragraph (5)(a) where the Primary Care Trust in whose area the pilot scheme or proposed pilot scheme is situated is itself the provider or proposed provider of services under that pilot scheme.

(1) S.I. 1998/646, amended by S.I. 2002/2469.

(2) S.I. 2002/545, amended by S.I. 2002/2469.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
