

2002 No. 38

NATIONAL HEALTH SERVICE, ENGLAND

The Primary Care Trusts (Membership, Procedure and Administration Arrangements) Amendment (No. 3) (England) Regulations 2002

Made - - - - - 13th January 2002

Laid before Parliament 14th January 2002

Coming into force - - 4th February 2002

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 126(4) of, and paragraph 5 of Schedule 5A to, the National Health Service Act 1977(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Amendment (No. 2) (England) Regulations 2002 and shall come into force on 4th February 2002.

(2) These Regulations extend to England only.

Revocation of Regulations

2. The Primary Care Trusts (Membership, Procedure and Administration Arrangements) Amendment (England) Regulations 2001(b) are hereby revoked.

Amendment of Regulations

3. The entries in Schedule 1 to the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000(c) (Special Health Authorities of which the chairman and members are not disqualified under regulation 5(1)(e)) are deleted and the following entries substituted:

- “Health Development Agency(d);
- National Blood Authority(e);
- National Clinical Assessment Authority(f);

(a) 1977 c. 49: *see* section 128(1), as amended by section 26(2)(i) and (g) of the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), for the definitions of “prescribed” and “regulations”. Section 126(4) was amended by s. 65(2) of the 1990 Act and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 37(6); Schedule 5A was inserted by the 1999 Act, Schedule 1. 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 the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 as amended by section 66(5) of the 1999 Act; these Regulations, therefore, do not extend to Wales.

(b) S.I. 2001/2631.

(c) S.I. 2000/89 as amended by 2001/2631.

(d) *See* S.I. 1999/3431 and 3432.

(e) *See* S.I. 1993/585 and 586.

(f) *See* S.I. 2000/2961 and 2962.

National Health Service Information Authority(a);
National Institute for Clinical Excellence(b);
National Patient Safety Agency(c);
National Treatment Agency(d);
Retained Organs Commission(e);
United Kingdom Transplant(f)".

Signed by authority of the Secretary of State for Health

13th January 2001

Hunt
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 1 to the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000, which make provision relating to the membership and procedure of Primary Care Trusts, so as to provide that the chairman and members of the National Blood Authority, the National Patient Safety Agency, the National Treatment Agency and the Retained Organs Commission are not disqualified for appointment as a chairman or a member of a Primary Care Trust in England. As Schedule 1 to the Regulations (in which the list of bodies exempted from the disqualification provisions appears) was previously amended by Regulations which referred in error to the National Blood Authority as being listed in that Schedule, those Regulations are revoked (regulation 2) and in the interests of clarity the inclusion of the special health authorities mentioned above has been effected by substituting a complete list of the entries in that Schedule.

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- (a) See S.I. 1999/973 and 794.
(b) See S.I. 1999/220 and 260.
(c) See S.I. 2000/172 and 1743.
(d) See S.I. 2001/713 and 715.
(e) See S.I. 2001/743 and 748.
(f) See S.I. 1991/407 and 408.

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