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## EXPLANATORY NOTE

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

This Order is made under the Health Protection Agency Act 2004 (“the Act”).

Article 2(1)(a) brings into force on 31st January 2005 section 1(2) of the Act and relevant paragraphs of Schedule 1 to the Act, for the purpose of making regulations concerned with the membership of the Health Protection Agency (“the Agency”), and the terms of appointment of, disqualification for appointment of, payments by the Agency to, and termination of tenure of office of the chairman and non-executive members of the Agency. It also brings into force on that date for that purpose provisions that impose duties on the Secretary of State to consult the devolved authorities before making such regulations.

Article 2(1)(b) brings into force on 31st January section 2(2)(a) and (3) of the Act (health functions) for the purposes of enabling the Secretary of State to give directions in regulations made by statutory instrument (after consultation with the National Assembly for Wales) regarding certain health functions. Articles 2(1)(c) and (e) bring into force on that date section 3(2), (3) and (6) (radiation protection functions), section 6 (appropriate authority) and section 9 (directions) for the purposes of enabling the appropriate authority to give directions. Article 2(1)(d) brings into force on that date provisions relating to schemes for the transfer of property, rights and liabilities of specified bodies.

Article 2(2) brings into force on 1st April the provisions of the Act other than paragraph 1 of Schedule 3, so far as they are not already in force.