
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth commencement order under the Health Act 2006 (c.28) (“the 2006 Act”).

Article 2 commences sections 37 to 42 of the 2006 Act, which amend the National Health Service Act 1977 (c.49) (“the 1977 Act”). The effect of sections 37 and 38 is to create a duty upon Primary Care Trusts (“PCTs”) to secure the provision of primary ophthalmic services within their area and to enter into contracts with persons who will provide such services. The effect of section 39 is to provide for regulations as to who may perform those services. The effect of section 40 is to permit PCTs to provide assistance and support for providers of primary ophthalmic services. The effect of section 41 is to permit PCTs to recognise local committees representative of those providing and performing the services. The effect of section 42 is to make provision for regulations to stop payments that would otherwise be made to certain persons from being made and for a right of appeal against this.

Article 2 also commences some minor and consequential amendments to and repeals certain provisions of the 1977 Act.