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STATUTORY INSTRUMENTS

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**2008 No. 2769**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The NHS Direct National Health Service  
Trust (Establishment) Amendment Order 2008**

*Made* - - - - *20th October 2008*

*Coming into force* - - *31st October 2008*

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 25(1), 272(8) and 273(1) of, and paragraph 5(1) of Schedule 4 to, the National Health Service Act 2006<sup>(1)</sup>.

The Secretary of State for Health makes this Order following the completion of the consultation prescribed<sup>(2)</sup> under section 25(3) of the National Health Service Act 2006.

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the NHS Direct National Health Service Trust (Establishment) Amendment Order 2008 and shall come into force on 31st October 2008.

(2) In this Order—

“the Establishment Order” means the NHS Direct National Health Service Trust (Establishment) Order 2007<sup>(3)</sup>;

“the trust” means the National Health Service trust established by the Establishment Order.

**Amendment of article 1 of the Establishment Order**

2. In article 1 of the Establishment Order (citation, commencement and interpretation), in paragraph (2)—

(a) after the definition of “general ophthalmic services” insert the following definitions—

““influenza pandemic” means a global outbreak of pandemic influenza;

“National Pandemic Flu Line Service” means a multi-channel remote access service for the assessment of patients and the authorisation of medication in the event of an influenza pandemic;”;

(b) after the definition of “operational date” insert the following definition—

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(1) 2006 c.41

(2) See S.I.1996/653, amended by S.I. 2001/3788

(3) S.I. 2007/478

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““pandemic influenza” means influenza caused by a new virus subtype that has an increased and sustained transmission during a global outbreak of influenza;”.

**Amendment of article 3 of the Establishment Order**

3. In article 3 of the Establishment Order (nature and functions of the trust), in paragraph (2)—
  - (a) in sub-paragraph (b) omit the word “and”; and
  - (b) after sub-paragraph (b) insert the following paragraph—
    - “(ba) the National Pandemic Flu Line Service, including—
      - (i) advice to the public in relation to persons who have or may have pandemic influenza, including clinical and self care advice;
      - (ii) the authorisation of medication where appropriate in relation to persons assessed as having pandemic influenza; and”
  - (c) in sub paragraph (c) for “(a) and (b)” substitute “(a) to (ba)”.

Signed by authority of the Secretary of State for Health.

20th October 2008

*Dawn Primarolo*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

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

This Order amends the NHS Direct National Health Service Trust (Establishment) Order 2007 (“the Establishment Order”) which established the NHS Direct National Health Service Trust.

Article 3 of the Order amends article 3 of the Establishment Order which specifies the nature and functions of the trust so that the trust may provide the National Pandemic Flu Line Service, including advice in relation to pandemic influenza and the authorisation of medication.