
STATUTORY INSTRUMENTS

2010 No. 2224

**The Health and Social Care Act 2008
(Consequential Amendments No.3) Order 2010**

Amendment of the Water Industry Act 1991

2. In Schedule 4A to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges)(1), in paragraph 8—

- (a) in sub-paragraph (2), omit the definition of “independent hospital”; and
- (b) after sub-paragraph (2), insert—

“(3) In this paragraph “independent hospital”, in relation to England, means—

(a) an establishment, not being a health service hospital as defined by section 275 of the National Health Service Act 2006(2),—

- (i) the main purpose of which is to provide medical or psychiatric treatment for illness or mental disorder or palliative care; or
- (ii) in which (whether or not other services are provided) any of the services listed in sub-paragraph (5) are provided; or

(b) any other establishment, not being a health service hospital as so defined, in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983(3).

(4) In this paragraph “independent hospital”, in relation to Wales, means an independent hospital within the meaning of the Care Standards Act 2000(4).

(5) The services referred to in sub-paragraph (3)(a)(ii) are as follows—

- (a) medical treatment under anaesthesia or intravenously administered sedation;
- (b) dental treatment under general anaesthesia;
- (c) obstetric services and, in connection with childbirth, medical services;
- (d) termination of pregnancies;
- (e) cosmetic surgery, other than—
 - (i) ear and body piercing,
 - (ii) tattooing,
 - (iii) the subcutaneous injection of a substance or substances into the skin for cosmetic purposes, or
 - (iv) the removal of hair roots or small blemishes on the skin by the application of heat using an electric current.

(1) 1991 c. 56; Schedule 4A was inserted by Schedule 1 to the Water Industry Act 1999 (c. 9) and paragraph 8 was substituted by the Care Standards Act 2000 (c. 14), Schedule 4, paragraph 18.

(2) 2006 c. 41.

(3) 1983 c. 20.

(4) 2000 c. 14; section 2, which contains the definition of “independent hospital”, was amended by the Health and Social Care Act 2008, Schedule 5, paragraphs 1 and 3.

Status: This is the original version (as it was originally made).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

- (6) In sub-paragraph (3)(a)(i)—
 - (a) “illness” includes any injury; and
 - (b) “mental disorder” has the same meaning as in the Mental Health Act 1983.”.