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STATUTORY INSTRUMENTS

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**2012 No. 417**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2012**

*Made* - - - - *16th February 2012*  
*Laid before Parliament* *21st February 2012*  
*Coming into force* - - *1st April 2012*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by sections 7(1), 8, 272(7) and 273(1) and (4) of the National Health Service Act 2006(1).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2012 and shall come into force on 1st April 2012.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002(2).

**Substitution of Schedule 5 to the principal Regulations**

2. For Schedule 5 to the principal Regulations (Secretary of State’s functions under section 3(1) of the National Health Service Act 2006 exercisable by Strategic Health Authorities for the purpose of securing the provision of services: specified services)(3) substitute the following Schedule—

“SCHEDULE 5

Regulation 3(2A)

SECRETARY OF STATE’S FUNCTIONS UNDER SECTION 3(1) OF  
THE NATIONAL HEALTH SERVICE ACT 2006 EXERCISABLE

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- (1) [2006 c.41](#). By virtue of section 271 of the Act the powers of the Secretary of State exercised in these provisions are exercisable only in relation to England. See section 275(1) for the definition of “regulations”.
- (2) [S.I. 2002/2375](#); relevant amending instruments are [S.I. 2007/559](#), [2008/224](#), [2009/112](#), [2010/405](#) and [2011/503](#).
- (3) Schedule 5 was inserted into the principal Regulations by [S.I. 2007/559](#), regulation 6, and was amended by [S.I. 2008/224](#), [2009/112](#), [2010/405](#) and [2011/503](#). See also regulation 3(2A) of the principal Regulations, which refers to Schedule 5 and was inserted by [S.I. 2007/559](#), regulation 3(3).

BY STRATEGIC HEALTH AUTHORITIES FOR THE PURPOSE OF  
SECURING THE PROVISION OF SERVICES: SPECIFIED SERVICES

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1	Adult ataxia telangiectasia service
2	Alkaptonuria service
3	Alström syndrome service
4	Ataxia telangiectasia service for children
5	Autoimmune paediatric gut syndromes service
6	Autologous intestinal reconstruction in adults service
7	Bardet-Biedl syndrome service
8	Barth syndrome service
9	Beckwith-Wiedemann syndrome with macroglossia service
10	Behçet's syndrome service
11	Breast radiotherapy injury rehabilitation service
12	Bladder exstrophy service
13	Choriocarcinoma service
14	Chronic pulmonary aspergillosis service
15	Complex childhood osteogenesis imperfecta service
16	Complex Ehlers Danlos syndrome service
17	Complex neurofibromatosis type 1 service
18	Complex tracheal disease service
19	Congenital hyperinsulinism service
20	Craniofacial service
21	Cryopyrin associated periodic syndrome service
22	Diagnostic service for amyloidosis
23	Diagnostic service for primary ciliary dyskinesia
24	Diagnostic service for rare neuromuscular disorders service
25	Encapsulating sclerosing peritonitis surgical service
26	Epidermolysis bullosa service
27	Extra corporeal membrane oxygenation service for adults
28	Extra corporeal membrane oxygenation service for neonates, infants and children with respiratory failure
29	Ex-vivo partial nephrectomy service
30	Gender identity development service for children and adolescents
31	Heart and lung transplantation service (including bridge to transplant using mechanical circulatory support)
32	Insulin-resistant diabetes service

- 33 Islet transplantation service
- 34 Liver transplantation service
- 35 Lymphangiomyomatosis service
- 36 Lysosomal storage disorder service
- 37 McArdle's disease service
- 38 Mental health service for deaf children and adolescents
- 39 Neurofibromatosis type 2 service
- 40 Neuromyelitis optica service
- 41 Ocular oncology service
- 42 Ophthalmic pathology service
- 43 Osteo-odonto-keratoprosthesis service for corneal blindness
- 44 Pancreas transplantation service
- 45 Paroxysmal nocturnal haemoglobinuria service
- 46 Paediatric intestinal pseudo-obstructive disorders service
- 47 Primary ciliary dyskinesia-management service
- 48 Primary malignant bone tumours service
- 49 Proton beam therapy service
- 50 Pseudomyxoma peritonei service
- 51 Pulmonary hypertension service for children
- 52 Pulmonary thromboendarterectomy service
- 53 Rare mitochondrial disorders service
- 54 Reconstructive surgery service for adolescents for congenital malformation of the female genital tract
- 55 Retinoblastoma service
- 56 Secure forensic mental health service for young people
- 57 Severe acute porphyria service
- 58 Severe combined immunodeficiency and related disorders service
- 59 Severe intestinal failure service
- 60 Severe obsessive compulsive disorder and body dysmorphic disorder service
- 61 Small bowel transplantation service
- 62 Specialist paediatric liver disease service
- 63 Stem cell transplantation service for juvenile idiopathic arthritis and related connective tissue disorders
- 64 Stickler syndrome diagnostic service
- 65 Vein of Galen malformation service
- 66 Veterans' post-traumatic stress disorder programme

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

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- 67 Wolfram syndrome service
  - 68 Xeroderma pigmentosum service.”.
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Signed by authority of the Secretary of State for Health.

16th February 2012

*Earl Howe*  
Parliamentary Under-Secretary of State,  
Department of Health

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## EXPLANATORY NOTE

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

These Regulations, which apply in relation to England, amend the National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002 (“the principal Regulations”).

Regulation 2 substitutes a new Schedule 5 to the principal Regulations. Schedule 5 lists the specialised services whose provision is to be secured in England by Strategic Health Authorities, rather than Primary Care Trusts. The revised list adds new services that Strategic Health Authorities may commission.

The new services are—

- Adult ataxia telangiectasia service (item 1)
- Alkaptonuria service (item 2)
- Beckwith-Wiedemann syndrome with macroglossia service (item 9)
- Behçet’s syndrome service (item 10)
- Breast radiotherapy injury rehabilitation service (item 11)
- Ex-vivo partial nephrectomy service (item 29)
- Primary ciliary dyskinesia - management service (item 47)
- Severe acute porphyria service (item 57).

The revised list also amends the description of some existing services so as to reflect more accurately the descriptions now used within the health service in England. The amended references are items 6, 15, 35, 46 and 67.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.