

**Changes to legislation:** Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 1

Section 9

#### FIXED PENALTIES

##### Modifications etc. (not altering text)

- C1** Sch. 1 applied (with modifications) (1.10.2014 for specified purposes, 1.10.2015 in so far as not already in force) by [Children and Families Act 2014 \(c. 6\)](#), [ss. 91\(5\)](#), [139\(6\)](#); [S.I. 2014/2609](#), [art. 2](#); [S.I. 2015/375](#), [art. 3](#)

##### *Contents of penalty notice*

- 1 A penalty notice must—
- (a) state the alleged offence, and
  - (b) give such particulars of the circumstances alleged to constitute it as are necessary for giving reasonable information about it.

##### Commencement Information

- I1** Sch. 1 para. 1 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)  
**I2** Sch. 1 para. 1 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 2 (1) A penalty notice must also state—
- (a) the name and address of the enforcement authority on whose behalf the authorised officer was acting when he gave the notice,
  - (b) the amount of the penalty and the period for its payment,
  - (c) the discounted amount and the period for its payment,
  - (d) the consequences of not paying the penalty or the discounted amount before the end of the period mentioned in paragraph (b) or (c),
  - (e) the person to whom and the address at which payment may be made,
  - (f) by what method payment may be made,
  - (g) the person to whom and the address at which any representations relating to the notice may be made.
- (2) The person mentioned in sub-paragraph (1)(e) and (g) must be the enforcement authority referred to in sub-paragraph (1)(a).

##### Commencement Information

- I3** Sch. 1 para. 2 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)  
**I4** Sch. 1 para. 2 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 3 A penalty notice must also—

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- (a) inform the person to whom it is given of his right to be tried for the alleged offence, and
- (b) explain how that right may be exercised.

**Commencement Information**

- I5** Sch. 1 para. 3 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)
- I6** Sch. 1 para. 3 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 4 A penalty notice must be in a form specified in regulations made by the [<sup>F1</sup>Secretary of State].

**Textual Amendments**

- F1** Words in Sch. 1 para. 4 substituted (1.3.2021) by [Public Health \(Wales\) Act 2017 \(anaw 2\)](#), s. 126(2), [Sch. 2 para. 15](#); [S.I. 2021/202](#), [art. 2](#)

**Commencement Information**

- I7** Sch. 1 para. 4 in force for certain purposes at Royal Assent see s. 83
- I8** Sch. 1 para. 4 in force at 2.4.2007 for W. in so far as not already in force by [S.I. 2007/204](#), [art. 2\(a\)](#)
- I9** Sch. 1 para. 4 in force at 1.7.2007 for E. in so far as not already in force by [S.I. 2007/1375](#), [art. 2\(a\)](#)

*Amount of penalty and period for payment*

- 5 The penalty is such amount as the Secretary of State may specify in regulations.

**Commencement Information**

- I10** Sch. 1 para. 5 in force for certain purposes at Royal Assent see s. 83
- I11** Sch. 1 para. 5 in force at 2.4.2007 for W. in so far as not already in force by [S.I. 2007/204](#), [art. 2\(a\)](#)
- I12** Sch. 1 para. 5 in force at 1.7.2007 for E. in so far as not already in force by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 6 The period for payment of the penalty is the period of 29 days beginning with the day on which the notice is given.

**Commencement Information**

- I13** Sch. 1 para. 6 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)
- I14** Sch. 1 para. 6 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

*Discounted amount and period for payment*

- 7 (1) A discounted amount is payable instead of the amount specified in regulations under paragraph 5 if payment is made before the end of the period for payment of the discounted amount.
- (2) That period is the period of 15 days beginning with the day on which the notice is given, unless the 15th day is not a working day.

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- (3) If the 15th day is not a working day, that period is the period beginning with the day on which the notice is given and ending immediately after the first working day following the 15th day.
- (4) In this paragraph, “working day” means any day which is not Saturday, Sunday, Christmas Day, Good Friday or a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 (c. 80).

**Commencement Information**

**I15** Sch. 1 para. 7 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)

**I16** Sch. 1 para. 7 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 8 The discounted amount is such amount as the Secretary of State may specify in regulations.

**Commencement Information**

**I17** Sch. 1 para. 8 in force for certain purposes at Royal Assent see s. 83

**I18** Sch. 1 para. 8 in force at 2.4.2007 for W. in so far as not already in force by [S.I. 2007/204](#), [art. 2\(a\)](#)

**I19** Sch. 1 para. 8 in force at 1.7.2007 for E. in so far as not already in force by [S.I. 2007/1375](#), [art. 2\(a\)](#)

*Effect of notice and payment*

- 9 (1) Proceedings for the offence in respect of which a penalty notice was given may not be brought before the end of the period for payment of the penalty.
- (2) Sub-paragraph (1) does not apply if the person to whom the notice was given has asked in accordance with paragraphs 14 and 15 to be tried for the alleged offence.

**Commencement Information**

**I20** Sch. 1 para. 9 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)

**I21** Sch. 1 para. 9 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 10 If the penalty is paid in accordance with the penalty notice before the end of the period mentioned in paragraph 9(1), no proceedings for the offence may be brought, and paragraph 14 does not apply.

**Commencement Information**

**I22** Sch. 1 para. 10 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)

**I23** Sch. 1 para. 10 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), [art. 2\(a\)](#)

- 11 If the discounted amount is paid in accordance with the penalty notice before the end of the period for payment of the discounted amount, no proceedings for the offence may be brought, and paragraph 14 does not apply.

**Commencement Information**

**I24** Sch. 1 para. 11 in force at 2.4.2007 for W. by [S.I. 2007/204](#), [art. 2\(a\)](#)

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**I25** Sch. 1 para. 11 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), **art. 2(a)**

- 12 If proceedings have been brought pursuant to a request under paragraph 14, but then the penalty or discounted amount is paid as mentioned in paragraph 10 or 11, those proceedings may not be continued.

**Commencement Information**

**I26** Sch. 1 para. 12 in force at 2.4.2007 for W. by [S.I. 2007/204](#), **art. 2(a)**

**I27** Sch. 1 para. 12 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), **art. 2(a)**

- 13 In any proceedings, a certificate is evidence of the facts which it states if it—
- (a) purports to be signed by or on behalf of the person responsible for the financial affairs of the enforcement authority on whose behalf the authorised officer who gave a penalty notice was acting, and
  - (b) states that payment of the penalty or discounted amount in pursuance of the notice was or was not received by a date specified in the certificate.

**Modifications etc. (not altering text)**

**C2** Sch. 1 para. 13 functions made exercisable concurrently (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **18**

**Commencement Information**

**I28** Sch. 1 para. 13 in force at 2.4.2007 for W. by [S.I. 2007/204](#), **art. 2(a)**

**I29** Sch. 1 para. 13 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), **art. 2(a)**

*Trial*

- 14 If the person to whom a penalty notice has been given asks to be tried for the alleged offence, proceedings may be brought against him.

**Commencement Information**

**I30** Sch. 1 para. 14 in force at 2.4.2007 for W. by [S.I. 2007/204](#), **art. 2(a)**

**I31** Sch. 1 para. 14 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), **art. 2(a)**

- 15 Any request to be tried must be made—
- (a) by notice given to the enforcement authority in question before the end of the period for payment of the penalty,
  - (b) in the manner specified in the penalty notice.

**Commencement Information**

**I32** Sch. 1 para. 15 in force at 2.4.2007 for W. by [S.I. 2007/204](#), **art. 2(a)**

**I33** Sch. 1 para. 15 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), **art. 2(a)**

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### *Withdrawal of notices*

- 16 (1) This paragraph applies if an enforcement authority considers that a penalty notice which an authorised officer acting on its behalf has given to a person (“P”) ought not to have been given.
- (2) The enforcement authority may give notice to P withdrawing the penalty notice.
- (3) If it does so—
- (a) it must repay any amount which has been paid by way of penalty in pursuance of the penalty notice, and
  - (b) no proceedings may be brought or continued against P for the offence in question.

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#### **Modifications etc. (not altering text)**

- C3** Sch. 1 para. 16 functions made exercisable concurrently (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **18**

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#### **Commencement Information**

- I34** Sch. 1 para. 16 in force at 2.4.2007 for W. by [S.I. 2007/204](#), art. 2(a)  
**I35** Sch. 1 para. 16 in force at 1.7.2007 for E. by [S.I. 2007/1375](#), art. 2(a)

### *[<sup>F2</sup>Power to amend or modify Schedule*

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#### **Textual Amendments**

- F2** Sch. 1 para. 17 and cross-heading inserted (1.10.2014 for specified purposes, 1.10.2015 in so far as not already in force) by [Children and Families Act 2014 \(c. 6\)](#), ss. **95(6)**, 139(6); [S.I. 2014/2609](#), art. 2; [S.I. 2015/375](#), art. 3

- 17 The [<sup>F3</sup>Secretary of State] may by regulations—
- (a) amend this Schedule so as to modify its application in relation to penalty notices issued by an authorised officer of an enforcement authority of a particular kind, or
  - (b) provide for this Schedule to apply with modifications in relation to such notices.]

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#### **Textual Amendments**

- F3** Words in [Sch. 1 para. 17](#) substituted (1.3.2021) by [Public Health \(Wales\) Act 2017 \(anaw 2\)](#), s. 126(2), [Sch. 2 para. 15](#); [S.I. 2021/202](#), art. 2

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## SCHEDULE 2

Section 10

### POWERS OF ENTRY, ETC.

#### Modifications etc. (not altering text)

- C4** Sch. 2 applied (with modifications) (1.10.2014 for specified purposes, 1.10.2015 in so far as not already in force) by Children and Families Act 2014 (c. 6), ss. 91(6), 139(6); S.I. 2014/2609, art. 2; S.I. 2015/375, art. 3

1 In this Schedule—

“authorised officer” means authorised officer of an enforcement authority,  
 “premises” includes any place and any vehicle.

#### Commencement Information

- I36** Sch. 2 para. 1 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)  
**I37** Sch. 2 para. 1 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

2 An authorised officer has the right to do any of the following, on production (if required) of his written authority—

- (a) at any reasonable hour, enter any premises (other than premises used only as a private dwelling house not open to the public) which he considers it is necessary for him to enter for the purpose of the proper exercise of his functions by virtue of Chapter 1 of Part 1 of this Act,
- (b) there carry out such inspections and examinations as he considers necessary for that purpose,
- (c) if he considers it necessary for that purpose, require the production of any substance or product, and inspect it, and take and retain samples of or extracts from it,
- (d) take possession of any substance or product on the premises, and retain it for as long as he considers necessary for that purpose,
- (e) require any person to give him such information, or afford him such facilities and assistance, as he considers necessary for that purpose.

#### Commencement Information

- I38** Sch. 2 para. 2 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)  
**I39** Sch. 2 para. 2 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

3 An authorised officer may, if he considers it necessary for the purpose of the proper exercise of his functions by virtue of Chapter 1 of Part 1 of this Act, arrange for any substance, product, sample or extract mentioned in paragraph 2(c) or (d) to be analysed.

#### Commencement Information

- I40** Sch. 2 para. 3 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)  
**I41** Sch. 2 para. 3 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

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- 4 An authorised officer may make such purchases and secure the provision of such services as he considers necessary for the purpose of the proper exercise of his functions by virtue of Chapter 1 of Part 1 of this Act.

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**Commencement Information**

**I42** Sch. 2 para. 4 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)

**I43** Sch. 2 para. 4 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

- 5 A person may not be required under paragraph 2 to give any information which he would be entitled to refuse to give in proceedings in the High Court on grounds of legal professional privilege.

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**Commencement Information**

**I44** Sch. 2 para. 5 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)

**I45** Sch. 2 para. 5 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

- 6 (1) A justice of the peace may exercise the power in sub-paragraph (3) if he is satisfied on sworn information in writing—
- (a) that for the purpose of the proper exercise of the functions of an enforcement authority under Chapter 1 of Part 1 of this Act there are reasonable grounds for entry into any premises other than premises used only as a private dwelling house not open to the public, and
  - (b) of either or both of the matters mentioned in sub-paragraph (2).
- (2) The matters are—
- (a) that admission to the premises has been, or is likely to be, refused, and that notice of intention to apply for a warrant under this Schedule has been given to the occupier or a person who reasonably appears to the enforcement authority to be concerned in the management of the premises,
  - (b) that an application for admission, or the giving of such notice, would defeat the object of the entry, or that the premises are unoccupied, or that the occupier is temporarily absent and it might defeat the object of the entry to await his return.
- (3) The justice may by warrant signed by him authorise any authorised officer to enter the premises, if need be by force.
- (4) Such a warrant continues in force until the end of the period of one month beginning with the date on which the justice signs it.

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**Commencement Information**

**I46** Sch. 2 para. 6 in force at 2.4.2007 for W. by S.I. 2007/204, art. 2(b)

**I47** Sch. 2 para. 6 in force at 1.7.2007 for E. by S.I. 2007/1375, art. 2(a)

- 7 An authorised officer entering any premises by virtue of paragraph 2, or of a warrant under paragraph 6, may take with him such other persons and such equipment as he considers necessary.

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**Commencement Information**

- I48** Sch. 2 para. 7 in force at 2.4.2007 for W. by S.I. 2007/204, **art. 2(b)**  
**I49** Sch. 2 para. 7 in force at 1.7.2007 for E. by S.I. 2007/1375, **art. 2(a)**

- 8 If premises which an authorised officer is authorised to enter by a warrant under paragraph 6 are unoccupied, or if the occupier is temporarily absent, then on leaving them that officer must leave the premises as effectively secured against unauthorised entry as he found them.

**Commencement Information**

- I50** Sch. 2 para. 8 in force at 2.4.2007 for W. by S.I. 2007/204, **art. 2(b)**  
**I51** Sch. 2 para. 8 in force at 1.7.2007 for E. by S.I. 2007/1375, **art. 2(a)**

- 9 If by virtue of paragraph 2(d) an authorised officer takes possession of anything, he must leave on the premises from which it was taken a statement giving particulars of what he has taken and stating that he has taken possession of it.

**Commencement Information**

- I52** Sch. 2 para. 9 in force at 2.4.2007 for W. by S.I. 2007/204, **art. 2(b)**  
**I53** Sch. 2 para. 9 in force at 1.7.2007 for E. by S.I. 2007/1375, **art. 2(a)**

- 10 If a direction of the [<sup>F4</sup>Secretary of State] has effect under section 10(4), this Schedule has effect, in relation to any case or case of a description specified in the direction, as if references to an authorised officer were to a person acting on behalf of the [<sup>F4</sup>Secretary of State].

**Textual Amendments**

- F4** Words in Sch. 2 para. 10 substituted (1.3.2021) by Public Health (Wales) Act 2017 (anaw 2), s. 126(2), **Sch. 2 para. 16**; S.I. 2021/202, **art. 2**

**Commencement Information**

- I54** Sch. 2 para. 10 in force at 2.4.2007 for W. by S.I. 2007/204, **art. 2(b)**  
**I55** Sch. 2 para. 10 in force at 1.7.2007 for E. by S.I. 2007/1375, **art. 2(a)**

**Textual Amendments**

- F5** Sch. 3 repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)



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“SCHEDULE 12B

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SCHEDULE 4

Section 57

THE APPOINTMENTS COMMISSION: SUPPLEMENTARY

*Status*

- 1 (1) The Commission is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- (2) The Commission's property is not to be regarded as property of, or property held on behalf of, the Crown.

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**Commencement Information**

**I56** Sch. 4 para. 1 in force at 1.10.2006 by S.I. 2006/2603, art. 4(4)(b)

*The Board of the Commission*

- 2 The Commission is to consist of the following members—
- (a) the chairman,
  - (b) the prescribed number of non-executive members,
  - (c) the chief executive, and
  - (d) the prescribed number of executive members.

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**Commencement Information**

**I57** Sch. 4 para. 2 in force for certain purposes at Royal Assent see s. 83

**I58** Sch. 4 para. 2 in force at 1.10.2006 in so far as not already in force by S.I. 2006/2603, art. 4(4)(b)

*Chairman and non-executive members*

- 3 (1) The chairman and non-executive members are to be appointed by the Secretary of State.
- (2) Of the non-executive members at least one (but not more than four) must be persons who are also appointed to be health and social care commissioners under paragraph 10.
- (3) Regulations may—
- (a) prescribe conditions which must be satisfied in relation to a person before he is appointed as chairman or as a non-executive member;
  - (b) make provision as to the circumstances in which a person is disqualified for being the chairman or a non-executive member.

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**Commencement Information**

- I59** Sch. 4 para. 3 in force for certain purposes at Royal Assent see s. 83  
**I60** Sch. 4 para. 3 in force at 1.10.2006 in so far as not already in force by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

*Chief executive*

- 4 (1) The chief executive is to be appointed by the chairman and the non-executive members of the Commission.
- (2) The chief executive must be—
- (a) an employee of the Commission, or
  - (b) a person seconded to the staff of the Commission.
- (3) Anything authorised or required to be done by the chief executive may be done by any other member of the Commission's staff who is authorised for the purpose by the chief executive (whether generally or specially).

**Commencement Information**

- I61** Sch. 4 para. 4 in force at 1.10.2006 by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

*The executive members*

- 5 (1) The executive members are to be appointed by the chairman and the non-executive members of the Commission.
- (2) The executive members must be—
- (a) employees of the Commission, or
  - (b) persons seconded to the staff of the Commission.
- (3) A person may not be appointed as an executive member unless he is recommended for appointment by the chief executive.

**Commencement Information**

- I62** Sch. 4 para. 5 in force at 1.10.2006 by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

*The vice-chairman*

- 6 <sup>[F6]</sup>(1) The members of the Commission may appoint one of the non-executive members to be vice-chairman for such period (not exceeding the remainder of his period of office as member) as they specify on making the appointment.
- <sup>[F7]</sup>(2) But regulations may—
- (a) provide that if the chairman's membership is suspended the Secretary of State may direct that the appointment of the vice-chairman under subparagraph (1) ceases to have effect;
  - (b) make provision about the appointment by the Secretary of State in those circumstances of another non-executive member to be vice-chairman.]

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#### Textual Amendments

- F6** Reference in [Sch. 4 para. 6\(1\)](#) inserted (19.1.2010) by [Health Act 2009 \(c. 21\), s. 40\(1\)](#), [Sch. 3 para. 8\(2\)](#) (with [Sch. 3 para. 19](#)); [S.I. 2010/30, art. 2\(d\)](#)
- F7** [Sch. 4 para. 6\(2\)](#) inserted (19.1.2010) by [Health Act 2009 \(c. 21\), s. 40\(1\)](#), [Sch. 3 para. 8\(3\)](#) (with [Sch. 3 para. 19](#)); [S.I. 2010/30, art. 2\(d\)](#)

#### Commencement Information

- I63** [Sch. 4 para. 6](#) in force at 1.10.2006 by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

#### *Terms of appointment: chairman and non-executive members*

- 7 (1) Regulations may make provision as to the terms on which the chairman and non-executive members of the Commission are to be appointed.
- (2) The regulations may in particular make provision as to—
- the period for which they are to hold office;
  - their eligibility for re-appointment;
  - remuneration and allowances;
  - circumstances in which their membership may be suspended or terminated.
- (3) Sub-paragraph (4) applies if—
- a person ceases to hold office as chairman or a non-executive member of the Commission, and
  - the Secretary of State determines that there are special circumstances that make it appropriate for that person to receive compensation.
- (4) The Secretary of State must—
- pay to that person such compensation as the Secretary of State may determine, or
  - make provision for the payment to or in respect of that person of such pension, allowances or gratuities by way of compensation as the Secretary of State may determine.

#### Commencement Information

- I64** [Sch. 4 para. 7](#) in force for certain purposes at Royal Assent see s. 83
- I65** [Sch. 4 para. 7](#) in force at 1.10.2006 in so far as not already in force by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

#### *Terms of appointment: chief executive and executive members*

- 8 (1) The Commission must determine—
- the conditions of service of, and
  - the remuneration and allowances payable to, the chief executive and the executive members.
- (2) The chief executive or (as the case may be) an executive member must not take part in a discussion or decision in pursuance of sub-paragraph (1) which relates to—
- his own conditions of service, or
  - remuneration or allowances payable to him.

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- (3) If the chief executive or an executive member is a person seconded to the Commission—
- (a) his conditions of service, and
  - (b) remuneration or allowances payable to him,
- must be determined by agreement between his employer and the Commission.

**Commencement Information**

**I66** Sch. 4 para. 8 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*Committees: general*

- 9
- (1) The Commission may appoint such committees and sub-committees as it thinks appropriate.
  - (2) A committee or sub-committee may consist of or include persons who are not members of the Commission.
  - (3) The Commission—
    - (a) may delegate to a committee or sub-committee such of its functions as it thinks fit; and
    - (b) may, in particular, delegate to a committee the function of appointing a sub-committee.
  - (4) The Commission may make arrangements for the payment of such remuneration and allowances as it thinks fit to any person who—
    - (a) is a member of a committee or sub-committee, but
    - (b) is not an employee of the Commission,
 whether or not he is also a member of the Commission.
  - (5) This paragraph is subject to paragraph 10 and to any directions given by the Secretary of State.

**Commencement Information**

**I67** Sch. 4 para. 9 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*The Health and Social Care Appointments Committee*

- 10
- (1) There is to be a committee of the Commission to be known as the Health and Social Care Appointments Committee.
  - (2) The Committee is to discharge on behalf of the Commission—
    - (a) the functions which are exercisable by it by virtue of directions under section 58, 60 or 61, and
    - (b) such other functions as the Secretary of State may specify.
  - (3) The Committee is to consist of—
    - (a) the chairman of the Commission,
    - (b) the chief executive, and

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- (c) not more than the prescribed number of persons appointed by the Secretary of State.
- (4) The persons so appointed are to be known as “health and social care commissioners”.
- (5) Regulations may—
  - (a) prescribe conditions which must be satisfied in relation to persons before they are appointed as health and social care commissioners;
  - (b) make provision as to the circumstances in which persons are disqualified for being health and social care commissioners;
  - (c) make provision as to the terms on which the health and social care commissioners are to be appointed.
- (6) The provision that may be made in relation to the health and social care commissioners under sub-paragraph (5)(c) includes, in particular, provision as to—
  - (a) the period for which they are to hold office as health and social care commissioners;
  - (b) their eligibility for re-appointment as such commissioners;
  - (c) remuneration and allowances payable to them as such commissioners;
  - (d) circumstances in which they may be suspended or removed from office as such commissioners.

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**Commencement Information**

**I68** Sch. 4 para. 10 in force for certain purposes at Royal Assent see s. 83

**I69** Sch. 4 para. 10 in force at 1.10.2006 in so far as not already in force by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

*Proceedings*

- 11 (1) The Commission may make such provision as it thinks fit to regulate—
  - (a) its own proceedings (including quorum), and
  - (b) the procedure (including quorum) of its committees and sub-committees.(2) Sub-paragraph (1) has effect subject to any directions given by the Secretary of State.

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**Commencement Information**

**I70** Sch. 4 para. 11 in force at 1.10.2006 by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

- 12 On any occasion when both the chairman and the vice-chairman are, for any reason, unable to perform the duties of chairman, the other members of the Commission may appoint one of the non-executive members to act in the place of the chairman.

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**Commencement Information**

**I71** Sch. 4 para. 12 in force at 1.10.2006 by [S.I. 2006/2603, art. 4\(4\)\(b\)](#)

- 13 The validity of any proceedings of the Commission, or any of its committees or sub-committees, is not affected by—
  - (a) any vacancy in the office of chairman or chief executive or in the membership of the Commission or the committee or sub-committee, or

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- (b) any defect in the appointment of the chairman or the chief executive or a member of the Commission or the committee or sub-committee.

**Commencement Information**

**I72** Sch. 4 para. 13 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 14 The Public Bodies (Admission to Meetings) Act 1960 (c. 67) applies to meetings of the Commission.

**Commencement Information**

**I73** Sch. 4 para. 14 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*Staff*

- 15 (1) The Commission may appoint such persons to be employees of the Commission as it thinks fit.
- (2) The Commission may make arrangements for persons to be seconded to the Commission to serve as members of its staff.
- (3) A period of secondment on the staff of the Commission does not affect the continuity of a person's employment with the employer from whose service he is seconded.
- (4) References in this Schedule to members of the Commission's staff are to persons who either are employees of the Commission or have been seconded to it to serve as members of its staff.

**Commencement Information**

**I74** Sch. 4 para. 15 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 16 (1) Employees of the Commission are to be appointed on such terms and conditions as the Commission determines.
- (2) Without prejudice to its other powers, the Commission may pay, or make provision for the payment of—
- (a) pensions, allowances or gratuities, or
  - (b) compensation for loss of employment or reduction of remuneration, to or in respect of its employees.

**Commencement Information**

**I75** Sch. 4 para. 16 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 17 (1) The Commission may, to such extent as it determines, delegate any of its functions to any members of its staff.
- (2) Any committee of the Commission may, to such extent as the committee determines, delegate any function conferred on it to any of its sub-committees or any member of the Commission's staff.

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- (3) This paragraph is subject to any directions given by the Secretary of State; and sub-paragraph (2) does not apply in relation to decisions falling to be made by the Health and Social Care Appointments Committee in relation to particular appointments.

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**Commencement Information**

**I76** Sch. 4 para. 17 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*Financing of Commission*

- 18 (1) The Secretary of State may make—
- (a) such annual payments to the Commission as he thinks appropriate in respect of the performance by it of functions to which sub-paragraph (2) applies, and
  - (b) such other payments to the Commission as he thinks appropriate in respect of the performance by it of functions to which sub-paragraph (3) applies.
- (2) This sub-paragraph applies to—
- (a) any functions exercisable by virtue of a direction under section 58 in relation to Strategic Health Authorities, Primary Care Trusts or NHS trusts, and
  - (b) such other of the Commission's functions as may be prescribed.
- (3) This sub-paragraph applies to any functions exercisable by virtue of a direction under section 58 in relation to—
- (a) Special Health Authorities, or
  - (b) bodies mentioned in section 58(3) or (4) or section 60.
- (4) Before deciding the amount of any payment under this paragraph the Secretary of State must take account of any income received by the Commission from any other source.
- (5) Payments under this paragraph may be made—
- (a) at such times, and
  - (b) subject to such conditions (if any),
- as the Secretary of State thinks appropriate.

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**Commencement Information**

**I77** Sch. 4 para. 18 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 19 The National Assembly for Wales may make such payments to the Commission as the Assembly thinks appropriate in respect of the performance by the Commission of functions exercisable by virtue of a direction under section 61.

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**Commencement Information**

**I78** Sch. 4 para. 19 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 20 (1) The Secretary of State may make loans to the Commission.
- (2) A loan under this paragraph may be made on such terms as the Secretary of State thinks appropriate.

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**Commencement Information**

**I79** Sch. 4 para. 20 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

- 21 (1) The Commission may charge for providing—
- (a) any services under arrangements under section 63(2) or (4),
  - (b) any services under section 64(1) to (3), or
  - (c) such other services as may be prescribed.
- (2) The amount of any charge is to be fixed in such a way as the Commission considers appropriate for recovering the costs incurred by it in, or in connection with, providing the services in question.

**Commencement Information**

**I80** Sch. 4 para. 21 in force for certain purposes at Royal Assent see s. 83

**I81** Sch. 4 para. 21 in force at 1.10.2006 in so far as not already in force by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*Accounts*

- 22 (1) The Commission must keep accounts in such form as the Secretary of State directs.
- (2) The Commission must prepare annual accounts in respect of each financial year in such form as the Secretary of State directs.
- (3) Before the end of the specified period following each financial year the Commission must send a copy of the annual accounts for that year—
- (a) to the Secretary of State, and
  - (b) to the Comptroller and Auditor General.
- (4) The Comptroller and Auditor General must—
- (a) examine, certify and report on the annual accounts, and
  - (b) lay copies of the accounts and of his report before each House of Parliament.
- (5) The “specified period” is such period as the Secretary of State directs.

**Commencement Information**

**I82** Sch. 4 para. 22 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

*Authentication of seal*

- 23 (1) The application of the Commission's seal must be authenticated by the signature of the chairman or another member of the Commission or any other person authorised by the Commission for the purpose.
- (2) A document purporting to be duly executed under the seal of the Commission or to be signed on behalf of the Commission is to be—
- (a) received in evidence, and
  - (b) unless the contrary is proved, taken to be so executed or signed.



**Changes to legislation:** *Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) This paragraph does not apply in relation to Scotland.

#### Commencement Information

**I83** Sch. 4 para. 23 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(4\)\(b\)](#)

## SCHEDULE 5

Section 58

### THE APPOINTMENTS COMMISSION: LIST OF STATUTORY BODIES

#### Commencement Information

**I84** Sch. 5 in force at 28.9.2006 for specified purposes by [S.I. 2006/2603](#), [art. 4\(2\)](#)

#### LIST OF STATUTORY BODIES REFERRED TO IN SECTION 58(3)

[<sup>F8</sup>The Care Quality Commission.]

F9  
...

F10  
...

F9  
...

F11  
...

The General Social Care Council.

The Health Protection Agency.

The Human Fertilisation and Embryology Authority.

The Human Tissue Authority.

F12  
...

The Independent Regulator of NHS Foundation Trusts.

F13  
...

#### Textual Amendments

**F8** Sch. 5 entry inserted (1.10.2008) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 5 para. 80\(b\)](#); [S.I. 2008/2497](#), art. 2(q)(ix)

**F9** Sch. 5 entries repealed (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 5 para. 80(a), [Sch. 15 Pt. 1](#); [S.I. 2009/462](#), art. 2(1), Sch. 1 paras. 35(aa), 36

**F10** Sch. 5 entry repealed (30.6.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 18 Pt. 18](#); [S.I. 2008/461](#), art. 4(b)(c)

**F11** Sch. 5 entry repealed (1.1.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), Sch. 10 para. 23, [Sch. 15 Pt. 2](#); [S.I. 2008/3244](#), art. 2(i)(j)(xiv)

**F12** Sch. 5 entry repealed (1.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), [Sch. 15 Pt. 7](#); [S.I. 2009/270](#), art. 2(2)(b)

**F13** Sch. 5 entry omitted (1.4.2010) by virtue of [The General and Specialist Medical Practice \(Education, Training and Qualifications\) Order 2010 \(S.I. 2010/234\)](#), art. 1(3)(4), [Sch. 3 para. 1](#); [S.I. 2010/478](#), art. 2(c)

*Changes to legislation: Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

#### Textual Amendments

- F8** Sch. 5 entry inserted (1.10.2008) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), **Sch. 5 para. 80(b)**; S.I. 2008/2497, art. 2(q)(ix)
- F9** Sch. 5 entries repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), Sch. 5 para. 80(a), **Sch. 15 Pt. 1**; S.I. 2009/462, art. 2(1), Sch. 1 paras. 35(aa), 36
- F10** Sch. 5 entry repealed (30.6.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 18 Pt. 18**; S.I. 2008/461, art. 4(b)(c)
- F11** Sch. 5 entry repealed (1.1.2009) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), Sch. 10 para. 23, **Sch. 15 Pt. 2**; S.I. 2008/3244, art. 2(i)(j)(xiv)
- F12** Sch. 5 entry repealed (1.4.2009) by Health and Social Care Act 2008 (c. 14), s. 170(3)(4), **Sch. 15 Pt. 7**; S.I. 2009/270, art. 2(2)(b)
- F13** Sch. 5 entry omitted (1.4.2010) by virtue of The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 (S.I. 2010/234), art. 1(3)(4), **Sch. 3 para. 1**; S.I. 2010/478, art. 2(c)

## SCHEDULE 6

Section 60

### THE APPOINTMENTS COMMISSION: LIST OF REGULATORY BODIES

#### Commencement Information

- I85** Sch. 6 in force at 28.9.2006 for specified purposes by S.I. 2006/2603, **art. 4(2)**

#### *LIST OF REGULATORY BODIES REFERRED TO IN SECTION 60(1)*

The General Chiropractic Council.  
 The General Dental Council.  
 The General Medical Council.  
 The General Optical Council.  
 The General Osteopathic Council.  
 [<sup>F14</sup>The General Pharmaceutical Council.]  
 The Health Professions Council.  
 The Nursing and Midwifery Council.

#### Textual Amendments

- F14** Sch. 6 entry inserted (12.3.2010) by The Pharmacy Order 2010 (S.I. 2010/231), art. 1(5), **Sch. 4 para. 12(b)**

#### Textual Amendments

- F14** Sch. 6 entry inserted (12.3.2010) by The Pharmacy Order 2010 (S.I. 2010/231), art. 1(5), **Sch. 4 para. 12(b)**

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## SCHEDULE 7

Section 69

### TRANSFER OF STAFF AND PROPERTY ETC. TO APPOINTMENTS COMMISSION

#### *Interpretation*

- 1 In this Schedule—
- “the appointed day” means the day appointed under section 83 for the coming into force of section 57(4),
  - “employee” means a person who immediately before the appointed day is an employee of the NHSAC, and
  - “the NHSAC” means the National Health Service Appointments Commission.

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#### **Commencement Information**

**186** Sch. 7 para. 1 in force at 1.10.2006 by S.I. 2006/2603, art. 4(5)(b)

#### *Transfer of staff*

- 2 (1) An employee's contract of employment has effect on and after the appointed day as if originally made between him and the Commission.
- (2) Accordingly—
- (a) all the rights, powers, duties and liabilities of the NHSAC under or in connection with the contract of employment are by virtue of this paragraph transferred to the Commission on the appointed day, and
  - (b) anything done before the appointed day by or in relation to the NHSAC in respect of that contract or the employee is to be treated on and after that day as having been done by or in relation to the Commission.
- (3) If before the appointed day an employee informs the NHSAC that he does not wish to become an employee of the Commission—
- (a) sub-paragraphs (1) and (2) do not apply in relation to him, and
  - (b) his contract of employment is terminated on the appointed day.
- (4) An employee is not to be treated for any purpose as being dismissed by reason of the operation of any provision of this paragraph in relation to him.
- (5) Nothing in this paragraph affects any right of an employee to terminate his contract of employment if a substantial change is made to his detriment in his working conditions.
- (6) But no such right arises by reason only that, by virtue of this paragraph, the identity of his employer changes unless he shows that, in all the circumstances, the change is significant and is to his detriment.

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#### **Commencement Information**

**187** Sch. 7 para. 2 in force at 1.10.2006 by S.I. 2006/2603, art. 4(5)(b)

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**Changes to legislation:** Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*Transfer of property, rights and liabilities*

- 3 (1) By virtue of this paragraph the property, rights and liabilities (including criminal liabilities) of the NHSAC existing immediately before the appointed day are transferred to the Commission on the appointed day.
- (2) Anything done by or in relation to the NHSAC which is in effect immediately before the appointed day is to be treated on and after the appointed day as done by or in relation to the Commission.
- (3) Anything (including any legal proceedings) which—
- (a) relates to anything transferred by sub-paragraph (1), and
  - (b) is in the process of being done by or in relation to the NHSAC,
- may be continued on and after the appointed day by or in relation to the Commission.
- (4) Sub-paragraph (1) does not have effect in relation to any rights or liabilities transferred by virtue of paragraph 2(2)(a).
- (5) Sub-paragraph (2) does not have effect in relation to anything treated as done by or in relation to the Commission by virtue of paragraph 2(2)(b).

**Commencement Information**

**188** Sch. 7 para. 3 in force at 1.10.2006 by S.I. 2006/2603, art. 4(5)(b)

*General*

- 4 Nothing in this Schedule affects the validity of anything done by the NHSAC.

**Commencement Information**

**189** Sch. 7 para. 4 in force at 1.10.2006 by S.I. 2006/2603, art. 4(5)(b)

SCHEDULE 8

Section 80

MINOR AND CONSEQUENTIAL AMENDMENTS

*Pharmacy Act 1954 (c. 61)*

- 1 The Pharmacy Act 1954 has effect subject to the following amendments.

**Commencement Information**

**190** Sch. 8 para. 1 in force at 1.10.2006 by S.I. 2006/2603, art. 4(5)(c)(i)

- 2 In section 15 (appointment of additional members to the council of the Pharmaceutical Society of Great Britain) omit subsections (3) and (4).

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**Commencement Information**

**I91** Sch. 8 para. 2 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(i\)](#)

3 In Schedule 1 (statutory committee of the Pharmaceutical Society) omit paragraph 3A.

**Commencement Information**

**I92** Sch. 8 para. 3 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(i\)](#)

*F15* ...

**Textual Amendments**

**F15** Sch. 8 para. 4 and cross-heading omitted (31.10.2012) by virtue of [Health and Social Care Act 2012](#) (c. 7), s. 306(4), [Sch. 20 para. 5\(2\)](#); [S.I. 2012/1831](#), [art. 2\(3\)](#)

**F15**<sub>4</sub> .....

*F16* ...

**Textual Amendments**

**F16** Sch. 8 para. 5 and cross-heading omitted (31.10.2012) by virtue of [Health and Social Care Act 2012](#) (c. 7), s. 306(4), [Sch. 20 para. 5\(2\)](#); [S.I. 2012/1831](#), [art. 2\(3\)](#)

**F16**<sub>5</sub> .....

*National Health Service Act 1977 (c. 49)*

**F17**<sub>6</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

**F17**<sub>7</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

**F17**<sub>8</sub> .....

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**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>9 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>10 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>11 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>12 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>13 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>14 . . . . .

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F17</sup>15 . . . . .

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**Textual Amendments**

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**F17**<sub>16</sub> .....

**Textual Amendments**

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**F17**<sub>17</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F17**<sub>18</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F17**<sub>19</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F17**<sub>20</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F17**<sub>21</sub> .....

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F17**<sub>22</sub> .....

*Changes to legislation: Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Textual Amendments**

**F17** Sch. 8 paras. 6-22 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F18**<sup>23</sup> .....

**Textual Amendments**

**F18** Sch. 8 para. 23 repealed (E.W.) (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [National Health Service \(Pre - consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), **Sch. 2** (with art. 4)

**F19**<sup>24</sup> .....

**Textual Amendments**

**F19** Sch. 8 para. 24 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**F20**<sup>25</sup> .....

**Textual Amendments**

**F20** Sch. 8 para. 25 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

*Medical Act 1983 (c. 54)*

26 In Schedule 1 to the Medical Act 1983 (the General Medical Council etc.) omit paragraph 4ZA.

**Commencement Information**

**I93** Sch. 8 para. 26 in force at 1.10.2006 by [S.I. 2006/2603](#), **art. 4(5)(c)(i)**

*Dentists Act 1984 (c. 24)*

27 (1) Schedule 1 to the Dentists Act 1984 (the General Dental Council etc.) is amended as follows.

(2) In paragraph 1(5) for “paragraphs 2 and 2A” substitute “ paragraph 2 ”.

(3) Omit paragraph 2A.

**Commencement Information**

**I94** Sch. 8 para. 27 in force at 1.10.2006 by [S.I. 2006/2603](#), **art. 4(5)(c)(i)**



**Changes to legislation:** *Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

*Opticians Act 1989 (c. 44)*

- 28 In Schedule 1 to the Opticians Act 1989 (the General Optical Council) omit paragraph 2A.

**Commencement Information**

**I95** Sch. 8 para. 28 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(i\)](#)

*National Health Service and Community Care Act 1990 (c. 19)*

- <sup>F21</sup>29 .....

**Textual Amendments**

**F21** Sch. 8 para. 29 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

PROSPECTIVE

*Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

- 30 In section 279(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners)—
- (a) for “or primary dental services” substitute “ , primary dental services or primary ophthalmic services ”,
  - (b) at the end of paragraph (b) add “ or under a contract under [<sup>F22</sup>section 117 of the National Health Service Act 2006] entered into by him with a Primary Care Trust, ”.

**Textual Amendments**

**F22** Words in Sch. 8 para. 30(b) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 291](#) (with [Sch. 3 Pt. 1](#))

*Osteopaths Act 1993 (c. 21)*

- 31 In the Schedule to the Osteopaths Act 1993 (the General Osteopathic Council etc.) omit paragraph 11A.

**Commencement Information**

**I96** Sch. 8 para. 31 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(i\)](#)

*Health Service Commissioners Act 1993 (c. 46)*

- 32 The Health Service Commissioners Act 1993 has effect subject to the following amendments.

*Changes to legislation: Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**Commencement Information**

**I97** Sch. 8 para. 32 in force at 1.8.2008 by [S.I. 2008/1972](#), [art. 2\(b\)](#)

- 33 In section 2A(1) (health service providers subject to investigation)—
  - (a) in paragraph (a), for [<sup>F23</sup>“ or 100” substitute “ , 100 or 117 ”],
  - (b) in paragraph (b), omit “general ophthalmic services or”.

**Textual Amendments**

**F23** Words in Sch. 8 para. 33(a) substituted (1.3.2007) by virtue of [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 292](#) (with Sch. 3 Pt. 1)

**Commencement Information**

**I98** Sch. 8 para. 33 in force at 1.8.2008 by [S.I. 2008/1972](#), art. 2(b)

<sup>F24</sup>34 .....

**Textual Amendments**

**F24** Sch. 8 para. 34 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 293, 4](#) (with Sch. 3 Pt. 1)

*Chiropractors Act 1994 (c. 17)*

- 35 In Schedule 1 to the Chiropractors Act 1994 (the General Chiropractic Council etc.) omit paragraph 11A.

**Commencement Information**

**I99** Sch. 8 para. 35 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(i\)](#)

*National Health Service (Residual Liabilities) Act 1996 (c. 15)*

<sup>F25</sup>36 .....

**Textual Amendments**

**F25** Sch. 8 para. 36 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

**Changes to legislation:** *Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

PROSPECTIVE

*Employment Rights Act 1996 (c. 18)*

37 In section 43K(1)(ba) of the Employment Rights Act 1996 (extension of meaning of “worker” etc. for Part 4A) at the end add “ or with a Primary Care Trust under section [F26117] of that Act ”.

**Textual Amendments**

**F26** Reference in Sch. 8 para. 37 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 1 para. 294** (with Sch. 3 Pt. 1)

PROSPECTIVE

*Pharmacists (Fitness to Practise) Act 1997 (c. 19)*

38 In the Schedule to the Pharmacists (Fitness to Practise) Act 1997 (fitness to practise of registered pharmaceutical chemists) omit paragraph 5.

*Audit Commission Act 1998 (c. 18)*

F2739 .....

**Textual Amendments**

**F27** Sch. 8 paras. 39-42 repealed (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), **Sch. 1 Pt. 2**; S.I. 2015/841, art. 3(a) (with arts. 5-8Sch.) (as amended (27.6.2016) by S.I. 2016/675, art. 2)

**Commencement Information**

**I100** Sch. 8 para. 39 in force at 1.10.2006 except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), **art. 5(b)**

F2740 .....

**Textual Amendments**

**F27** Sch. 8 paras. 39-42 repealed (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), **Sch. 1 Pt. 2**; S.I. 2015/841, art. 3(a) (with arts. 5-8Sch.) (as amended (27.6.2016) by S.I. 2016/675, art. 2)

**Commencement Information**

**I101** Sch. 8 para. 40 in force at 1.10.2006 except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), **art. 5(b)** (with art. 6)

F2741 .....

**Changes to legislation:** Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

**F27** Sch. 8 paras. 39-42 repealed (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 1 Pt. 2](#); [S.I. 2015/841](#), [art. 3\(a\)](#) (with [arts. 5-8Sch.](#)) (as amended (27.6.2016) by [S.I. 2016/675](#), [art. 2](#))

#### Commencement Information

**I102** Sch. 8 para. 41 in force at 1.10.2006 except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), [art. 5\(b\)](#) (with [art. 6](#))

<sup>F27</sup>42 . . . . .

#### Textual Amendments

**F27** Sch. 8 paras. 39-42 repealed (1.4.2015) by [Local Audit and Accountability Act 2014 \(c. 2\)](#), s. 49(1), [Sch. 1 Pt. 2](#); [S.I. 2015/841](#), [art. 3\(a\)](#) (with [arts. 5-8Sch.](#)) (as amended (27.6.2016) by [S.I. 2016/675](#), [art. 2](#))

#### Commencement Information

**I103** Sch. 8 para. 42 in force at 1.10.2006 except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), [art. 5\(b\)](#) (with [art. 6](#))

#### *Government of Wales Act 1998 (c. 38)*

43 In section 144(2) of the Government of Wales Act 1998 (accounts, audit and reports) for “the accounts kept in pursuance of section 98(1) of the National Health Service Act 1977 (accounts and audit of NHS bodies)” substitute “ any accounts kept or prepared in pursuance of [<sup>F28</sup>paragraph 2 or 3 of Schedule 9 to the National Health Service (Wales) Act 2006] (requirement for Welsh NHS bodies to keep accounts or prepare annual accounts) ”.

#### Textual Amendments

**F28** Words in Sch. 8 para. 43 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 298](#) (with [Sch. 3 Pt. 1](#))

#### Commencement Information

**I104** Sch. 8 para. 43 in force at 1.2.2007 by [S.I. 2007/204](#), [art. 4\(b\)](#) (with [art. 5](#))

#### *Government Resources and Accounts Act 2000 (c. 20)*

44 (1) Section 14 of the Government Resources and Accounts Act 2000 (summarised accounts) is amended as follows.

(2) In subsection (1) for [<sup>F29</sup>“section 98(4) of the National Health Service Act 1977 (requirement to prepare summarised accounts)” substitute “paragraph 7 of Schedule 15 to the National Health Service Act 2006 or paragraph 5 of Schedule 9 to the National Health Service (Wales) Act 2006”].

(3) In subsection (3) after “subsection (1)” insert “in respect of [<sup>F30</sup>an NHS body within the meaning of paragraph 1 of Schedule 15 to the National Health Service Act 2006, other than one to which paragraph 1(2)(b) of that Schedule applies,]”.

**Changes to legislation:** *Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) For subsection (4) substitute—

“(4) Before making an order under that subsection in respect of [<sup>F31</sup>an NHS body within the meaning of paragraph 1 of Schedule 9 to the National Health Service (Wales) Act 2006,] and the Treasury shall consult—  
(a) the National Assembly for Wales, and  
(b) the Auditor General for Wales.”

<sup>F32</sup>(5) . . . . .

**Textual Amendments**

- F29** Words in Sch. 8 para. 44(2) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 299\(a\)](#) (with [Sch. 3 Pt. 1](#))
- F30** Words in Sch. 8 para. 44(3) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 299\(b\)](#) (with [Sch. 3 Pt. 1](#))
- F31** Words in Sch. 8 para. 44(4) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 299\(c\)](#) (with [Sch. 3 Pt. 1](#))
- F32** Sch. 8 para. 44(5) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 299\(d\)](#), [Sch. 4](#) (with [Sch. 3 Pt. 1](#))

**Commencement Information**

- I105** Sch. 8 para. 44 in force at 1.10.2006 except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), [art. 5\(b\)](#) (with [art. 6](#))
- I106** Sch. 8 para. 44 in force at 1.2.2007 in so far as not already in force by [S.I. 2007/204](#), [art. 4\(b\)](#) (with [art. 5](#))

*Freedom of Information Act 2000 (c. 36)*

45 (1) Schedule 1 to the Freedom of Information Act 2000 (public authorities) is amended as follows.

(2) In Part 3, in paragraph 43A—

- (a) for “or primary dental services” substitute “, primary dental services or primary ophthalmic services”,
- (b) in paragraph (b) for [<sup>F33</sup>“or 100” substitute “, 100 or 117”].

<sup>F34</sup>(3) . . . . .

**Textual Amendments**

- F33** Words in Sch. 8 para. 45(2)(b) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 300](#) (with [Sch. 3 Pt. 1](#))
- F34** Sch. 8 para. 45(3) omitted (31.10.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 20 para. 5\(2\)](#); [S.I. 2012/1831](#), [art. 2\(3\)](#)

**Commencement Information**

- I107** Sch. 8 para. 45(1) in force at 1.10.2006 for specified purposes by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(ii\)](#)
- I108** Sch. 8 para. 45(1) in force at 1.8.2008 in so far as not already in force by [S.I. 2008/1972](#), [art. 2\(b\)](#)
- I109** Sch. 8 para. 45(2) in force at 1.8.2008 by [S.I. 2008/1972](#), [art. 2\(b\)](#)
- I110** Sch. 8 para. 45(3) in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(ii\)](#)

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*Health and Social Care Act 2001 (c. 15)*

<sup>F35</sup>46 .....

**Textual Amendments**

**F35** Sch. 8 para. 46 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

*Nursing and Midwifery Order 2001 (S.I. 2002/253)*

47 In Schedule 1 to the Nursing and Midwifery Order 2001 (the Nursing and Midwifery Council etc.) omit paragraph 15A.

**Commencement Information**

**I111** Sch. 8 para. 47 in force at 1.10.2006 by [S.I. 2006/2603](#), **art. 4(5)(c)(iii)**

*Health Professions Order 2001 (S.I. 2002/254)*

48 In Schedule 1 to the Health Professions Order 2001 (the Health Professions Council etc.) omit paragraph 16A.

**Commencement Information**

**I112** Sch. 8 para. 48 in force at 1.10.2006 by [S.I. 2006/2603](#), **art. 4(5)(c)(iii)**

*National Health Service Reform and Health Care Professions Act 2002 (c. 17)*

49 The National Health Service Reform and Health Care Professions Act 2002 has effect subject to the following amendments.

**Commencement Information**

**I113** Sch. 8 para. 49 in force at 1.10.2006 for specified purposes by [S.I. 2006/2603](#), **art. 4(5)(c)(iv)**

<sup>F36</sup>50 .....

**Textual Amendments**

**F36** Sch. 8 para. 50 repealed (1.3.2007 coming into force in accordance with s. 8(4)-(6)) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

<sup>F37</sup>51 .....

**Textual Amendments**

**F37** Sch. 8 para. 51 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

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52 In Schedule 7 (the Council for the Regulation of Health Care Professionals) omit paragraph 5.

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**Commencement Information**

**I114** Sch. 8 para. 52 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(iv\)](#)

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

53 The 2003 Act has effect subject to the following amendments.

<sup>F38</sup>54 .....

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**Textual Amendments**

**F38** Sch. 8 para. 54 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

55 In section 150(7)(d) (liability to pay NHS charges) for sub-paragraph (ii) substitute—

“(ii) section 2C, 17C, 17J or 25 of the 1978 Act (primary medical services or personal or general dental services).”

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**Commencement Information**

**I115** Sch. 8 para. 55 in force at 29.1.2007 for S. by [S.S.I. 2007/9](#), [art. 2\(b\)](#)

56 In section 187 (appointments to certain health and social care bodies) omit subsections (1) to (7), (9) and (10).

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**Commencement Information**

**I116** Sch. 8 para. 56 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

57 Omit section 188 (appointments to certain health and social care bodies: joint functions).

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**Commencement Information**

**I117** Sch. 8 para. 57 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

58 (1) In Schedule 6 (the Commission for Health Care Audit and Inspection: supplementary) paragraph 3 is amended as follows.

(2) In sub-paragraph (1)—

- (a) in paragraphs (a) and (c) for “relevant Special Health Authority” substitute “Secretary of State”, and
- (b) in paragraph (b) for “relevant Special Health Authority who appears to that Authority” substitute “Assembly who appears to the Assembly”.

(3) Omit sub-paragraphs (2), (3), (9), (10), (14) and (15).

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(4) In sub-paragraph (11)—

- (a) for “Special Health Authority referred to in sub-paragraph (2)” substitute “Secretary of State”, and
- (b) for “Special Health Authority referred to in sub-paragraph (3)” substitute “Assembly”.

**Commencement Information**

**I118** Sch. 8 para. 58 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

59 (1) In Schedule 7 (the Commission for Social Care Inspection: supplementary) paragraph 3 is amended as follows.

(2) In sub-paragraph (1) for “relevant Special Health Authority” substitute “Secretary of State”.

(3) Omit sub-paragraphs (2) and (6) to (8).

**Commencement Information**

**I119** Sch. 8 para. 59 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

*General and Specialist Medical Practice (Education,  
 Training and Qualifications) Order 2003 (S.I. 2003/1250)*

60 In Schedule 2 to the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (the Postgraduate Medical Education and Training Board etc.) omit paragraph 4.

**Commencement Information**

**I120** Sch. 8 para. 60 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

*Health Protection Agency Act 2004 (c. 17)*

61 In Schedule 1 to the Health Protection Agency Act 2004 (the Health Protection Agency) omit paragraph 2.

**Commencement Information**

**I121** Sch. 8 para. 61 in force at 1.10.2006 by [S.I. 2006/2603](#), [art. 4\(5\)\(c\)\(v\)](#)

*Public Audit (Wales) Act 2004 (c. 23)*

62 In section 61(1) of the Public Audit (Wales) Act 2004 (audit of Welsh NHS bodies) for “section 98(2) of the National Health Service Act 1977 (accounts of NHS bodies)” substitute “paragraph [F<sup>39</sup>3(1) of Schedule 9 to the National Health Service (Wales) Act 2006] (preparation of annual accounts of Welsh NHS bodies)”.



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### Textual Amendments

- F39** Words in Sch. 8 para. 62 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 301](#) (with Sch. 3 Pt. 1)

### Commencement Information

- I122** Sch. 8 para. 62 in force at 1.2.2007 by [S.I. 2007/204](#), [art. 4\(b\)](#)

## SCHEDULE 9

Section 80

### REPEALS AND REVOCATIONS

### Commencement Information

- I123** Sch. 9 in force at 1.10.2006 for specified purposes except so far as relating to Welsh NHS bodies by [S.I. 2006/2603](#), [art. 5\(c\)](#)
- I124** Sch. 9 in force at 1.10.2006 for specified purposes by [S.I. 2006/2603](#), [art. 4\(5\)\(e\)](#), [Sch.](#)
- I125** [Sch. 9](#) in force at 1.2.2007 for specified purposes for W. by [S.I. 2007/204](#), [art. 4\(c\)](#)
- I126** [Sch. 9](#) in force at 1.8.2008 for specified purposes by [S.I. 2008/1972](#), [art. 2\(c\)](#)
- I127** [Sch. 9](#) in force at 1.10.2009 for specified purposes by [S.I. 2008/2714](#), [art. 2\(c\)](#)

<i>Short title and chapter or title and number</i>	<i>Extent of repeal or revocation</i>
Pharmacy Act 1954 (c. 61)	In section 15, subsections (3) and (4). In Schedule 1, paragraph 3A.
Medicines Act 1968 (c. 67)	In section 77, paragraph (b) and the “and” immediately preceding it.
National Health Service Act 1977 (c. 49)	In section 15(1)(a), “general ophthalmic services”. In section 18A(3)(a), “general ophthalmic or”. In section 38(1), “of every Primary Care Trust and”. In section 39, in subsection (1)(a) “by each Primary Care Trust and”; in subsections (1) and (2) “Primary Care Trust or” in each place it occurs; and in subsection (3) “Primary Care Trust or” and “of the Primary Care Trust or”. In section 44(B2), paragraph (a); “the Local Optical Committee or”; and “, as the case may be,”. In section 45A(3), “and” at the end of paragraph (a). In section 49N(4)(b), “(or, in the case of a medical list, to nominate or approve him for inclusion in it)”.

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	In Schedule 12, in paragraph 2A(1), “or” at the end of paragraph (b).
Health and Social Services and Social Security Adjudications Act 1983 (c. 41)	In Schedule 5, paragraph 3.
Medical Act 1983 (c. 54)	In Schedule 1, paragraph 4ZA.
Dentists Act 1984 (c. 24)	In Schedule 1, paragraph 2A.
Opticians Act 1989 (c. 44)	In Schedule 1, paragraph 2A.
National Health Service and Community Care Act 1990 (c. 19)	In section 4A(1), “or” at the end of paragraph (a). Section 11(7). Section 20(2). In Schedule 2, paragraph 24.
Osteopaths Act 1993 (c. 21)	In the Schedule, paragraph 11A.
Health Service Commissioners Act 1993 (c. 46)	In section 2A(1)(b), “general ophthalmic services or”. In section 6(5), “38, 39,”.
Chiropractors Act 1994 (c. 17)	In Schedule 1, paragraph 11A.
Health Authorities Act 1995 (c. 17)	In Schedule 1, paragraph 50.
Pharmacists (Fitness to Practise) Act 1997 (c. 19)	In the Schedule, paragraph 5.
Audit Commission Act 1998 (c. 18)	In Schedule 2, paragraphs 1(g) and 1C.
Health Act 1999 (c. 8)	In Schedule 3, paragraph 2(2). In Schedule 4, paragraph 33.
Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000 (S.I. 2000/90)	In Schedule 1, paragraph 13(6).
National Health Service Appointments Commission (Establishment and Constitution) Order 2001 (S.I. 2001/793)	The whole Order.
Nursing and Midwifery Order 2001 (S.I. 2002/253)	In Schedule 1, paragraph 15A.
Health Professions Order 2001 (S.I. 2002/254)	In Schedule 1, paragraph 16A.
National Health Service Reform and Health Care Professions Act 2002 (c. 17)	Section 35. In Schedule 1, paragraph 29. In Schedule 2, paragraphs 11, 12(3) and (4) (a). In Schedule 5, paragraph 21. In Schedule 6, paragraph 6. In Schedule 7, paragraph 5.
Health and Social Care (Community Health and Standards) Act 2003 (c. 43)	In section 187, subsections (1) to (7), (9) and (10). Section 188.

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**Changes to legislation:** *Health Act 2006 is up to date with all changes known to be in force on or before 10 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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	In Schedule 6, paragraph 3(2), (3), (9), (10), (14) and (15). In Schedule 7, paragraph 3(2) and (6) to (8). In Schedule 11, paragraph 33. In Schedule 12, paragraphs 1, 2(3), 3(2) and (4) and 4 to 8.
General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 (S.I. 2003/1250)	In Schedule 2, paragraph 4.
Government Resources and Accounts Act 2000 (Audit of Health Service Bodies) Order 2003 (S.I. 2003/1324)	The whole Order.
Health Protection Agency Act 2004 (c. 17)	In Schedule 1, paragraph 2.
Public Audit (Wales) Act 2004 (c. 23)	In Schedule 2, paragraphs 2 and 38(2).
Government Resources and Accounts Act 2000 (Audit of Health Service Bodies) Order 2004 (S.I. 2004/1714)	The whole Order.
Regulatory Reform (National Health Service Charitable and Non-Charitable Trust Accounts and Audit) Order 2005 (S.I. 2005/1074)	Articles 2 and 4.
Special Health Authorities (Audit) Order 2006 (S.I. 2006/960)	The whole Order.

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**Changes and effects yet to be applied to :**

- Sch. 8 para. 30 and cross-heading omitted by [2022 c. 31 Sch. 3 para. 49](#)