

*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Reform) Act (Northern Ireland) 2009, Paragraph 13. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

*The Health and Personal Social Services (Northern Ireland) Order 1991 (NI 1)*

- 13.—**<sup>F1</sup>(1) .....
- (2) In Article 2(3) after “Article 2(2)” insert “ and (2A) ”.
  - (3) Omit Article 3 (constitution of Health and Social Services Boards) and Article 4 (Health and Social Services Councils).
  - (4) In Article 7 (removal of Crown immunities)—
    - (a) omit paragraph (1);
    - (b) in paragraphs (2) to (4) for “health and social services body” substitute “ health and social care body to which this Article applies ”;
    - (c) in paragraph (2), omit sub-paragraph (b) and the word “and” immediately before it;
    - (d) in paragraph (4) after “Order” insert “ or the 2009 Act ”;
    - (e) for paragraph (6) substitute—
      - “(6) This Article applies to the following health and social care bodies—
      - (a) the Regional Board;
      - (b) the Regional Agency;
      - (c) RBSO;
      - (d) a special agency.”.
  - (5) In Article 8(2) (health and social services contracts) for sub-paragraphs (a) and (b) substitute—
    - “(a) the Regional Board;
    - (aa) the Regional Agency;
    - (b) RBSO;”.
  - (6) Omit Article 9 (primary and other functions of Health and Social Services Boards and special agencies).
  - (7) In Article 10 (health and social care trusts)—

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- (a) for paragraph (2) substitute—
- “(2) Before making an order under paragraph (1), the Department shall consult—
- (a) the Patient and Client Council, and
- (b) such other persons and bodies as the Department considers appropriate.”.
- (b) in paragraph (3) for sub-paragraphs (a) and (b) substitute—
- “(a) the Regional Board;
- (aa) the Regional Agency;
- (b) RBSO; or”.
- (8) In Article 21 (indicative amounts for doctors' practices)—
- (a) in paragraph (1) omit the words “in relation to which it is the relevant Health and Social Services Board”;
- <sup>F2</sup>(b) .....
- (c) omit paragraphs (7) and (8A).
- (9) In Article 23(1) (power to raise funds) for “Health and Social Services Boards” substitute “ the Regional Board, the Regional Agency, ”.
- (10) In Article 24(2) (schemes for meeting losses and liabilities, etc.) for sub-paragraphs (a) and (b) substitute—
- “(a) the Regional Board;
- (aa) the Regional Agency;
- (b) RBSO;”.
- (11) In Article 32 (Director of Public Health) for paragraph (1) substitute—
- “(1) The chief administrative medical officer of the Regional Agency shall be known as the Director of Public Health for Northern Ireland.
- (1A) For any reference to the Director of Public Health of a Health and Social Services Board in—
- (a) the statutory provisions mentioned in paragraph (2);
- (b) any other statutory provision passed or made before the coming into operation of section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009,
- there shall be substituted a reference to the Director of Public Health for Northern Ireland.”.
- (12) Omit Schedule 1 (health and social services councils).
- (13) In Schedule 3 (health and social care trusts)—
- (a) in paragraph 3 omit sub-paragraphs (1)(d), (2) and (3);

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- (b) omit paragraph 19;
- (c) in paragraph 24 after sub-paragraph (1) insert—
  - “(1A) The Department must exercise its powers under sub-paragraph (1) so as to ensure that all the liabilities of the HSC trust are transferred.”.

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**Textual Amendments**

- F1** Sch. 6 para. 13(1) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 242\(b\)](#); S.R. 2022/102, art. 2(b)
- F2** Sch. 6 para. 13(8)(b) omitted (1.4.2022) by virtue of [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 242\(b\)](#); S.R. 2022/102, art. 2(b)

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