

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENCEMENT DATE

331. The commencement section (section 83) provides that the Act, with certain exceptions, will come into force on a day appointed by order by the Secretary of State. The exceptions to that provision are as follows.
332. The following provisions will come into force on the day on which the Act is passed:
- sections 74 and 75,
 - sections 79, 80(3) to (8), 81, 82, 83, and 84
 - paragraphs 36, 53 and 54 of Schedule 8 and section 80(1) so far as relating to those paragraphs.
 - (except for section 36(2)) any other provision of the Act (including those to be commenced by the various appropriate national authorities as set out below) so far as it—
 - confers power to make an order or regulations, or
 - defines any expression relevant to the exercise of such power.
333. [Part 5](#) comes into force on such day as the Secretary of State, after consultation with the National Assembly for Wales, may by order appoint..
334. The following provisions come into force on such day as the Scottish Ministers may by order appoint:
- section 36(2);
 - so far as extending to Scotland, section 73 and paragraph 55 of Schedule 8, and
 - section 80(1) so far as it relates to paragraph 55 of Schedule 8 (so far as it so extends).
335. The following provisions come into force in relation to Wales on such day as the National Assembly for Wales may by order appoint:
- Chapter 1 of Part 1 and sections 76 and 77, so far as relating to offences under that Chapter , and
 - Paragraph 24(a) of Schedule 8 and section 80(1), so far as relating to that paragraph.
336. The following provisions come into force on such day as the National Assembly for Wales may by order appoint:
- Chapter 1 of Part 3 and sections 76 to 78 so far as relating to the Assembly's functions under that Chapter or to offences committed in relation to those functions;
 - Chapter 1 of Part 4 so far as relating to the Assembly's functions under sections 42 and 42B of the National Health Act 1977;

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- Chapter 3 of Part 4 and sections 76 to 78 so far as relating to the Assembly's counter fraud functions in relation to the health service in Wales or to offences committed in relation to those functions;
 - section 56, Schedule 3 and paragraph 44 of Schedule 8 so far as relating to Welsh NHS bodies;
 - paragraphs 43 and 62 of Schedule 8;
 - so far as relating to Welsh NHS bodies, any provision of Schedule 9 which repeals or revokes an enactment amending or repealing section 98 of the NHS Act 1977
 - section 80(1) and (2) so far as relating to these provisions in Schedule 8 and 9.
337. The following provisions come into force on such day as the Department of Health, Social Services and Public Safety may by order appoint:
- Chapter 1 of Part 3 so far as relating to the functions of the Department of Health, Social Services and Public Safety under that Chapter, and
 - sections 76 and 77 so far as relating to offences committed in relation to those functions.

Hansard References

338. The following table sets out the dates and Hansard references for each stage of this Act's passage through Parliament.

<i>Stage</i>	<i>Date</i>	<i>Hansard Reference</i>
House of Commons		
Introduction	27 October 2005	Vol 438, Col. 470
Second Reading	29 November 2005	Vol. 440, Cols. 144-237
Committee	6 December 2005	Hansard Standing Committee E
	8 December 2005	
	13 December 2005	
	15 December 2005	
	20 December 2005	
	10 January 2006	
Report and Third Reading	14 February 2006	Vol. 442, Cols.1288-1391
House of Lords		
Introduction	15 February 2006	Vol. 678, Col. 1213
Second Reading	1 March 2006	Vol. 679, Cols. 276-340
Committee	20 April 2006	Vol. 680 GC541-600
	24 April 2006	Vol. 681 GC1-60
	9 May 2006	Vol. 681 GC351-404
	15 May 2006	Vol. 682 GC1-52
	22 May 2006	Vol. 682 GC87-144
	25 May 2006	Vol. 682 GC265-288

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<i>Stage</i>	<i>Date</i>	<i>Hansard Reference</i>
Report	19 June 2006	Vol. 683 Cols. 516-542
		Vol. 683 Cols. 553-584
		Vol. 683 Cols. 602-622
	26 June 2006	Vol. 683 Cols. 1034-1068
Third Reading	4 July 2006	Vol. 684 Cols. 138-155
House of Commons		
Commons Consideration of Lords Amendments	18 July 2006	Vol. 449 Cols. 177-189
Royal Assent		
		House of Lords Hansard Vol. 684 Col. 1277
		House of Commons Hansard Vol. 449 Col. 364