

---

**Changes to legislation:** There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Former functions of Health Authorities ceasing to be exercisable by Local Health Boards. (See end of Document for details)

---

## SCHEDULES

### SCHEDULE 2

#### TRANSITIONAL AND SAVING PROVISION

#### PART 2

#### PARTICULAR SAVINGS

##### *Former functions of Health Authorities ceasing to be exercisable by Local Health Boards*

- 14 Paragraph 15 applies if the functions of Health Authorities which—
- (a) were transferred to the National Assembly for Wales by the Health Authorities (Transfer of Functions, Staff, Property, Rights and Liabilities and Abolition) (Wales) Order 2003 (S.I. 2003/813 (W.98)), and
  - (b) are exercisable by Local Health Boards by virtue of directions under section 16BB of the National Health Service Act 1977 (c. 49) or section 12 of the National Health Service (Wales) Act 2006 (c. 42),
- cease to be so exercisable.
- 15 If this paragraph applies—
- (a) section 50 of the National Health Service (Wales) Act 2006 has effect as if after subsection (7) there were inserted—
    - “(8) This Act has effect, in relation to primary medical services provided under an agreement, as if those services were provided as a result of the delegation by the Welsh Ministers of their functions (by directions given under section 12 or 24).”
  - (b) section 64 of that Act has effect as if after subsection (5) there were inserted—
    - “(8) This Act has effect, in relation to primary dental services provided under an agreement, as if those services were provided as a result of the delegation by the Welsh Ministers of their functions (by directions given under section 12 or 24).”
  - (c) that Act has effect as if for section 85 there were substituted—
    - “**85 Power to charge**
    - (1) The Welsh Ministers may charge a fee to persons who make an application to them referred to in section 83(2)(c)(i) or (ii).
    - (2) The Welsh Ministers may determine the amount of the fee as they think fit, and may in particular charge a flat fee or charge different fees in different cases or descriptions of case.

---

**Changes to legislation:** There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Former functions of Health Authorities ceasing to be exercisable by Local Health Boards. (See end of Document for details)

---

- (3) Before determining the amount of the fee, the Welsh Ministers must consult such organisations as they think fit that appear to them to represent persons providing pharmaceutical services.
  - (4) The Welsh Ministers must publish in such manner as they think fit any fee they determine and any directions they give under this section.”, and
- (d) that Act has effect as if for section 99 there were substituted—

**“99 Application of this Act**

This Act has effect in relation to piloted services—

- (a) subject to any provision of, or made under, this Chapter, section 103 (application of enactments) or section 127 (charges for local pharmaceutical services), but
- (b) otherwise as if those services were provided as a result of the delegation by the Welsh Ministers of their functions (by directions given under section 12).”.

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Former functions of Health Authorities ceasing to be exercisable by Local Health Boards.