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**Changes to legislation:** There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Section 11 of the National Health Service Act 2006 (c. 41), and section 9 of the National Health Service (Wales) Act 2006 (c. 42). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

#### TRANSITORY MODIFICATIONS

#### PART 2

#### OTHER TRANSITORY MODIFICATIONS

*Section 11 of the National Health Service Act 2006 (c. 41), and  
section 9 of the National Health Service (Wales) Act 2006 (c. 42)*

- 2 (1) This paragraph applies if sub-paragraphs (a) and (b) of paragraph 5 of the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006 (S.I. 2006/1056) have not come into force before the commencement of this Act.
- (2) Until the coming into force of those sub-paragraphs—
- (a) section 11 of the National Health Service Act 2006 has effect—
    - (i) with the omission of subsection (1)(d), and
    - (ii) as if, in subsection (7)(b), there were inserted at the end “ or section 27(2) of the National Health Service (Scotland) Act 1978 ”, and
  - (b) section 9 of the National Health Service (Wales) Act 2006 has effect—
    - (i) with the omission of subsection (1)(d), and
    - (ii) as if, in subsection (4), in paragraph (b) of the definition of “pharmaceutical list” there were inserted at the end “ or section 27(2) of the National Health Service (Scotland) Act 1978 ”.
- 3 (1) This paragraph applies if sub-paragraph (c) of paragraph 5 of the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006 has not come into force before the commencement of this Act.
- (2) Until the coming into force of that sub-paragraph—
- (a) section 11 of the National Health Service Act 2006 has effect with the omission of subsection (6), and
  - (b) section 9 of the National Health Service (Wales) Act 2006 has effect with the omission of subsection (5).

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Section 11 of the National Health Service Act 2006 (c. 41), and section 9 of the National Health Service (Wales) Act 2006 (c. 42).