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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 128 of the National Health Service Act 2006 (c. 41), and section 82 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 128 of the National Health Service Act 2006 (c. 41), and  
section 82 of the National Health Service (Wales) Act 2006 (c. 42)*

- 5 (1) This paragraph applies if paragraph 3 of Schedule 2 to the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006 (S.I. 2006/1056) has not come into force before the commencement of this Act.
- (2) Until the coming into force of that paragraph, section 128 of the National Health Service Act 2006 and section 82 of the National Health Service (Wales) Act 2006 have effect—
- (a) with the omission of subsection (2)(b), and
  - (b) as if, in subsection (6)(b), there were inserted at the end “ or section 27(2) of the National Health Service (Scotland) Act 1978 ”.

**Changes to legislation:**

There are currently no known outstanding effects for the National Health Service (Consequential Provisions) Act 2006, Cross Heading: Section 128 of the National Health Service Act 2006 (c. 41), and section 82 of the National Health Service (Wales) Act 2006 (c. 42).