

*These notes refer to the Health and Social Care Act 2012
(c.7) which received Royal Assent on 27 March 2012*

HEALTH AND SOCIAL CARE ACT 2012

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Further provision about public health

Schedule 7 – Part 1: amendments of other enactments

621. This Schedule makes a number of amendments to other Acts which are consequential on the HPA's abolition. More detail about certain of these is given below.

<i>Act</i>	<i>Amendment</i>
<i>Health and Safety at Work etc. Act 1974 (c.37)</i>	Section 16 (approval of codes of practice) states that the Health and Safety Executive shall not approve a code of practice under subsection (1) without the consent of the Secretary of State and shall before seeking his consent consult appropriate government departments and the HPA in particular in the case of a code relating to electromagnetic radiations. The amendment deletes the references to the HPA and the specific reference to electromagnetic radiations.
<i>National Immigration and Asylum Act 2002 (c.41)</i>	The amendments change references in section 133(4) of the Nationality, Immigration and Asylum Act 2002 (power of medical inspector to disclose information to health service bodies). <ul style="list-style-type: none"> • Paragraph (a) is amended to replace the reference to the HPA with a reference to the Secretary of State in relation to England. • Paragraph (b) is amended to remove the reference to the HPA in relation to Wales. • Paragraph (c) is amended to replace the reference to the HPA with a reference to the Secretary of State in relation to Scotland. • Paragraph (d) in relation to Northern Ireland is amended to remove the reference to the HPA and insert a reference to the Regional Agency for Public Health and Social Well-being established under section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009.
<i>Civil Contingencies Act 2004 (c.36)</i>	The amendment, by substituting Paragraph 9 of Part 1 of Schedule 1 (Category 1 responders), removes references to the HPA and inserts references to the Secretary of State as regards his functions concerning responding to emergencies by virtue of – <ul style="list-style-type: none"> a) The Secretary of State's functions under section 2A of the National Health Service Act 2006,

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<i>Act</i>	<i>Amendment</i>
	b) the Secretary of State's functions under section 57 of the Health and Social Care Act 2012 in so far as it applies in relation to Wales or Scotland, or c) arrangements made by the Welsh Ministers or Scottish Ministers under which the Secretary of State exercises on their behalf functions in relation to protecting the public in Wales or Scotland from disease or other dangers to health.