

*Changes to legislation: Health and Social Care Act 2012, SCHEDULE 20 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 20

Sections 278, 279 and 280

#### PART 10: CONSEQUENTIAL AMENDMENTS AND SAVINGS

#### PART 1

#### THE ALCOHOL EDUCATION AND RESEARCH COUNCIL

##### *Consequential amendments*

- 1 Omit the entry for the Alcohol Education and Research Council in each of the following—
- (a) Schedule 2 to the Parliamentary Commissioner Act 1967, and
  - (b) Part 6 of Schedule 1 to the Freedom of Information Act 2000.

##### **Commencement Information**

**I1** Sch. 20 para. 1 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

- 2 Omit the entry in Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 for the liquidator appointed under section 2 of the Licensing (Alcohol Education and Research) Act 1981.

##### **Commencement Information**

**I2** Sch. 20 para. 2 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

- 3 In consequence of the repeal made by section 278(2)—
- (a) in Schedule 2 to the Trustee Act 2000, omit paragraph 40 (and the preceding cross-heading), and
  - (b) in Schedule 3 to the Health Act 2009, omit paragraph 2 (and the preceding cross-heading).

##### **Commencement Information**

**I3** Sch. 20 para. 3 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

##### *Savings*

- 4 (1) Anything which is in the process of being done by the Alcohol Education and Research Council under an enactment immediately before abolition may be continued by the Secretary of State.

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- (2) Anything which the Council is required to do under an enactment before abolition may, in so far as it has not been done by the Council, be done by the Secretary of State after abolition.
- (3) The Secretary of State must prepare a report on the activities of the Council during the period that begins with the 1 April before abolition and ends with abolition.
- (4) In this paragraph—  
“abolition” means the commencement of section 278(1);  
“enactment” includes an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978).

**Commencement Information**

**I4** Sch. 20 para. 4 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

**PART 2**

THE APPOINTMENTS COMMISSION

*Consequential amendments*

- 5 (1) Omit the entry for the Appointments Commission in each of the following—
- (a) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
  - (b) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, and
  - (c) Part 6 of Schedule 1 to the Freedom of Information Act 2000.
- (2) In consequence of those repeals, in Schedule 8 to the Health Act 2006, omit paragraphs 4, 5 and 45(3) (and the cross-heading preceding each of paragraphs 4 and 5).

**Commencement Information**

**I5** Sch. 20 para. 5 in force at 31.10.2012 by S.I. 2012/1831, art. 2(3)

- 6 Omit paragraph 1A(4) of Schedule 1 (membership of governing Council) to each of the following—
- (a) the Medical Act 1983,
  - (b) the Dentists Act 1984,
  - (c) the Opticians Act 1989,
  - (d) the Osteopaths Act 1993, and
  - (e) the Chiropractors Act 1994.

**Commencement Information**

**I6** Sch. 20 para. 6 in force at 31.10.2012 by S.I. 2012/1831, art. 2(3)

- 7 In consequence of the repeal made by section 279(2)—

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- (a) in Schedule 1 to the National Health Service (Consequential Provisions) Act 2006, omit paragraphs 284 to 286,
- (b) in Schedule 5 to the Health and Social Care Act 2008, omit paragraphs 79 and 80 (and the preceding cross-heading),
- (c) in Schedule 10 to that Act, omit paragraphs 20 to 23 (and the preceding cross-heading), and
- (d) in Schedule 3 to the Health Act 2009, omit paragraph 8 (and the preceding cross-heading).

#### Commencement Information

**I7** Sch. 20 para. 7 in force at 31.10.2012 by S.I. 2012/1831, art. 2(3)

#### Savings

- 8
- (1) Anything which is in the process of being done by the Appointments Commission under an enactment immediately before abolition may be continued by the Secretary of State.
  - (2) If abolition is to occur at a time other than immediately after the end of a financial year within the meaning of paragraph 22 of Schedule 4 to the Health Act 2006 (accounts), the period that begins with the 1 April before abolition and ends with abolition is to be treated as a financial year for the purposes of that paragraph.
  - (3) Despite section 279(2), paragraph 22 of that Schedule is to continue to have effect for the purpose of imposing the duties under sub-paragraphs (2), (3)(b) and (4) of that paragraph; and for that purpose—
    - (a) the duty under sub-paragraph (2) of that paragraph, in so far as it has not been discharged by the Commission, must be discharged by the Secretary of State, and
    - (b) the duty under sub-paragraph (3)(b) of that paragraph must be discharged by the Secretary of State.
  - (4) Subject to that, anything which the Commission is required to do under an enactment before abolition may, in so far as it has not been done by the Commission, be done by the Secretary of State after abolition.
  - (5) In this paragraph—
    - “abolition” means the commencement of section 279(1);
    - “enactment” includes an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978).

#### Commencement Information

**I8** Sch. 20 para. 8 in force at 31.10.2012 by S.I. 2012/1831, art. 2(3)

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### PART 3

#### THE NATIONAL INFORMATION GOVERNANCE BOARD FOR HEALTH AND SOCIAL CARE

##### *Consequential amendments*

- 9 (1) Omit the entry for the National Information Governance Board for Health and Social Care in each of the following—
- (a) Schedule 2 to the Parliamentary Commissioner Act 1967,
  - (b) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975, and
  - (c) Part 6 of Schedule 1 to the Freedom of Information Act 2000.
- (2) In consequence of those repeals, in Schedule 14 to the Health and Social Care Act 2008, omit paragraphs 2 to 4 (and the cross-heading preceding each of those paragraphs).

##### **Commencement Information**

**I9** Sch. 20 para. 9 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 10 (1) In section 271 of the National Health Service Act 2006 (territorial limit of exercise of functions), in subsection (3), omit paragraph (fa).
- (2) In consequence of that repeal, in Schedule 14 to the Health and Social Care Act 2008, omit paragraph 5 (and the preceding cross-heading).

##### **Commencement Information**

**I10** Sch. 20 para. 10 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

- 11 In consequence of the repeal made by section 280(2), omit sections 157(1) and 158 of the Health and Social Care Act 2008.

##### **Commencement Information**

**I11** Sch. 20 para. 11 in force at 1.4.2013 by S.I. 2013/160, art. 2(2) (with arts. 7-9)

##### *Savings*

- 12 (1) Anything which is in the process of being done by the National Information Governance Board for Health and Social Care under an enactment immediately before abolition may be continued by the Secretary of State.
- (2) Despite section 280(2), section 250D of the National Health Service Act 2006 (annual report) is to continue to have effect for the purpose of imposing the duty under subsection (1)(a); and for that purpose—
- (a) if abolition is to occur at a time other than immediately after the end of a reporting year within the meaning of that section, the period that begins with the 1 April before abolition and ends with abolition is to be treated as a reporting year for the purposes of that section, and

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- (b) the duty under subsection (1)(a) of that section must be discharged by the Secretary of State.
- (3) Anything which the Board is required to do under an enactment before abolition may, in so far as it has not been done by the Board, be done by the Secretary of State after abolition.
- (4) In this paragraph—  
“abolition” means the commencement of section 280(1);  
“enactment” includes an enactment contained in subordinate legislation (within the meaning of the Interpretation Act 1978).

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**Commencement Information**

**I12** Sch. 20 para. 12 in force at 1.4.2013 by S.I. 2013/160, **art. 2(2)** (with arts. 7-9)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)