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STATUTORY INSTRUMENTS

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**2002 No. 2363 (C.77)**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Health and Social Care Act 2001  
(Commencement No. 10) (England) Order 2002**

*Made - - - - 11th September 2002*

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 64(6) and 70(2) of the Health and Social Care Act 2001<sup>(1)</sup>, hereby makes the following Order:

**Citation, interpretation and application**

1.—(1) This Order may be cited as the Health and Social Care Act 2001 (Commencement No. 10) (England) Order 2002.

(2) In this Order, “the Act” means the Health and Social Care Act 2001.

(3) This Order applies to England only.

**Appointed day in respect of section 2 of the Act**

2.—(1) Subject to paragraph (2), the appointed day for the coming into force of section 2 of the Act is 30th September 2002.

(2) Section 2 shall come into force for the purposes of the year ending with 31st March 2003 and subsequent years.

**Appointed day in respect of sections 5 and 18 of the Act**

3. 12th September 2002 is the appointed day for the coming into force of sections 5 and 18 of the Act.

11th September 2002

*David Cammy*  
Parliamentary Under Secretary of State  
Department of Health

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(1) 2001 c. 15. See section 66 of the Act for the definition of “relevant authority”.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the 10th commencement order made under the Health and Social Care Act 2001 (“the Act”), and applies to England only.

Article 2 brings into force, on 30th September 2002, section 2 of the Act (payments relating to past performance), for the purposes of the year ending with 31st March 2003 and any subsequent year.

Article 3 brings into force, on 11th September 2002, sections 5 (income generation powers) and 18 (arrangements for the provision of out of hours general medical services and personal medical services) of the Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The provisions of the Health and Social Care Act 2001 listed in the table below have been brought into force in England by commencement orders made before the date of this Order. Certain provisions of commencement orders [S.I.2001/3752](#), [2002/1095](#), and [1312](#) have effect in Northern Ireland, Scotland and Wales. The following commencement orders have been made in relation to Wales: [S.I. 2001/3807](#), [2002/1475](#) and [1919](#).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	22nd October 2001	<a href="#">2001/3619</a>
Section 3	1st August 2001	<a href="#">2001/2804</a>
Section 4	1st August 2001	<a href="#">2001/2804</a>
Section 6	1st October 2001	<a href="#">2001/3294</a>
Section 13	1st August 2001	<a href="#">2001/2804</a>
Section 14	1st April 2002	<a href="#">2002/1095</a>
Section 15 (partially)	8th March 2002	<a href="#">2002/1095</a>
Section 15	1st April 2002	<a href="#">2002/1095</a>
Section 16	Day referred to in article 2(4) and (5) of <a href="#">2001/3738</a>	<a href="#">2001/3738</a>
Section 17	14th December 2001	<a href="#">2001/3738</a>
Section 19	1st April 2002	<a href="#">2002/1095</a>
Section 20(1) to (5) (partially)	22nd November 2001	<a href="#">2001/3738</a>
Section 20(1) to (5)	14th December 2001	<a href="#">2001/3738</a>
Section 21	22nd November 2001	<a href="#">2001/3738</a>
Section 22	22nd November 2001	<a href="#">2001/3738</a>
Section 24	22nd November 2001	<a href="#">2001/3738</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 25 (partially)	22nd November 2001	2001/3738
Section 25 (partially)	14th December 2001	2001/3738
Section 26(2)	31st May 2002	2002/1095
Section 27 (partially)	1st October 2001	2001/3294
Section 27 (partially)	1st December 2001	2001/3294
Section 28	8th March 2002	2002/1095
Section 29 and Schedule 2	8th March 2002	2002/1095
Section 30	8th March 2002	2002/1095
Section 31	8th March 2002	2002/1095
Section 32	8th March 2002	2002/1095
Section 33	8th March 2002	2002/1095
Section 34	8th March 2002	2002/1095
Section 35	8th March 2002	2002/1095
Section 36	8th March 2002	2002/1095
Section 37	8th March 2002	2002/1095
Section 38	8th March 2002	2002/1095
Section 39	8th March 2002	2002/1095
Section 41	8th March 2002	2002/1095
Section 42 (partially)	8th March 2002	2002/1095
Section 42	1st April 2002	2002/1095
Section 43	1st April 2002	2002/1095
Section 45	19th December 2001	2001/4149
Section 46	1st August 2001	2001/2804
Section 47 (partially)	1st August 2001	2001/2804
Section 47(5), (6)	19th December 2001	2001/4149
Section 48, Schedule 4	1st August 2001	2001/2804
Section 49 (partially)	1st October 2001	2001/3294
Section 50(1)	8th April 2002	2001/3752
Section 50(2) to (7), (8), (10)	20th December 2001	2001/3752
Section 51	8th November 2001	2001/3752
Section 52	8th November 2001	2001/3752
Section 53	1st October 2001	2001/3167
Section 54	1st October 2001	2001/3167
Section 55 (partially)	1st October 2001	2001/3167

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 62	15th April 2002	<a href="#">2002/1312</a>
Section 63 (partially)	6th March 2002	<a href="#">2002/1095</a>
Section 63	1st April 2002	<a href="#">2002/1095</a>
Section 67(1) (partially), Schedule 5, paragraphs 3, 5(10)(b), 13(a)(b)(d) (partially), and 10 (partially)	1st October 2001	<a href="#">2001/3294</a>
Section 67(1) (partially), Schedule 5, paragraphs 5 (partially), and 15 (partially)	22nd October 2001	<a href="#">2001/3619</a>
Section 67(1), Schedule 5, paragraphs 3, 5(10)(b), 13(a) (b)(d) and 10 (partially)	1st December 2001	<a href="#">2001/3294</a>
Section 67(1) (partially), Schedule 5, paragraphs 5(4) and (14) (partially)	22nd November 2001	<a href="#">2001/3738</a>
Section 67(1) (partially), Schedule 5, paragraphs 5(4) and (14) (partially) and 12(1) and (2)	14th December 2001	<a href="#">2001/3738</a>
Section 67(1) (partially), Schedule 5, paragraphs 2, 5(2), (5), (6), (7)(a) and (b), (7)(c), (9), (10)(a) and 11(3)	1st April 2002	<a href="#">2002/1095</a>
Section 67(1) (partially), Schedule 5, paragraphs 5(8) and (16)	Day referred to in article 2(4) and (5) of S.I. <a href="#">2001/3738</a>	<a href="#">2001/3738</a>
Section 67(2) (partially), Schedule 6 (partially)	14th December 2001	<a href="#">2001/3738</a>
Section 67(2) (partially), Schedule 6 (partially)	14th December 2001	<a href="#">2001/3738</a>
Section 67(2) (partially), Schedule 6 (partially)	15th April 2002	<a href="#">2002/1312</a>