
STATUTORY INSTRUMENTS

2002 No. 2469

**The National Health Service Reform and Health
Care Professions Act 2002 (Supplementary,
Consequential etc. Provisions) Regulations 2002**

Citation and commencement

1. These Regulations may be cited as the National Health Service Reform and Health Care Professions Act 2002 (Supplementary, Consequential etc. Provisions) Regulations 2002 and shall come into force on 1st October 2002.

Application and extent

2.—(1) Regulations 3 and 15 to 17 apply only in relation to England.

(2) Subject to paragraphs (3), (4) and (5), the extent of any amendment made under regulations 4 to 14 is the same as that of the provision amended.

(3) Where before the coming into force of these Regulations, a provision of a statutory instrument has been amended and that amendment applies only in relation to England, any further amendment of that provision made by these Regulations shall similarly apply only in relation to England.

(4) Nothing in these Regulations shall be taken as amending any provision of a statutory instrument, or part of such a provision, which applies in relation to Wales only.

(5) The amendments made by paragraphs 33, 56 and 76(3) and (4) of Schedule 1 apply only in relation to England.

(6) Regulation 18 extends to England and Wales and to Scotland but not to Northern Ireland.

(7) The extent of any repeal or revocation of any enactment under regulation 19 is the same as that of the enactment repealed or revoked.

Change of name of Health Authorities

3.—(1) In the name of each Health Authority listed in column 1 of Schedule 1 to the Health Authorities (Establishment and Abolition) (England) Order 2002(1) for “Health Authority” in each place it occurs there is substituted “Strategic Health Authority”.

(2) The changes of name effected by paragraph (1) shall not—

(a) affect any right or obligation of any person; or

(b) be taken as invalidating any instrument (whether made before or on or after the date on which these Regulations come into force) which refers to the Authorities by their previous names;

and all instruments and other documents which refer to the Authorities under their previous names shall be construed as if referring to them under their new names.

Consequential amendments

4. The enactments specified in Schedule 1 are amended as there specified.
5. In the enactments specified in column 1 of Schedule 2, in the provisions specified in column 2, before “Health Authority” or, as the case may be, “health authority”, in each place where it occurs unless otherwise specified in Schedule 2, there is inserted “Strategic Health Authority,”.
6. In the enactments specified in column 1 of Schedule 3, in the provisions specified in column 2, for “Health Authority” or, as the case may be, “health authority”, in each place where it occurs, there is substituted “Strategic Health Authority”.
7. In the enactments specified in column 1 of Schedule 4, in the provisions specified in column 2, there is inserted, in the appropriate alphabetical position—

““Strategic Health Authority” means a Strategic Health Authority established under section 8 of the National Health Service Act 1977;”(2).
8. In the enactments specified in column 1 of Schedule 5, in the provisions specified in column 2—
 - (a) after “Health Authority” or, as the case may be, “health authority”, in each place where it occurs unless otherwise specified in Schedule 5, there is inserted “or Primary Care Trust”;
 - (b) after “Health Authorities” or, as the case may be, “Health authorities”, in each place where it occurs, there is inserted “or Primary Care Trusts”; and
 - (c) after “Health Authority's” or, as the case may be, “health authority's”, in each place where it occurs unless otherwise specified in Schedule 5, there is inserted “or Primary Care Trust's”.
9. In the enactments specified in column 1 of Schedule 6, in the provisions specified in column 2, after “Health Authority” or, as the case may be, “health authority”, in each place where it occurs unless otherwise specified in Schedule 6, there is inserted “, Primary Care Trust”.
10. In the enactments specified in column 1 of Schedule 7, in the provisions specified in column 2—
 - (a) for “Health Authority” or, as the case may be, “health authority” or “District Health Authority”(3), in each place where it occurs unless otherwise specified in Schedule 7, there is substituted “Primary Care Trust”;
 - (b) for “Health Authorities” or, as the case may be, “health authorities”, in each place where it occurs, there is substituted “Primary Care Trusts”; and
 - (c) for “Health Authority's”, in each place where it occurs, there is substituted “Primary Care Trust's”.
11. In the enactments specified in column 1 of Schedule 8, in the provisions specified in column 2, there is inserted, in the appropriate alphabetical position—

““Primary Care Trust” means a Primary Care Trust established under section 16A of the National Health Service Act 1977;”(4).
12. In the enactments specified in column 1 of Schedule 9, in the provisions specified in column 2, before “Health Authority” or, as the case may be, “health authority”, in each place it occurs unless otherwise specified in Schedule 9, there is inserted “Strategic Health Authority or”.

(2) 1977 c. 49; section 8 was substituted by section 1 of the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”).

(3) District Health Authorities were abolished by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), section 1 and references to them are, unless the context otherwise requires, to be construed as references to Health Authorities under the Health Authorities Act 1995 (Amendment of Transitional Provisions and Modification of References) Order 1996 (S.I. 1996/971), article 3(2).

(4) Section 16A was inserted by the Health Act 1999 (c. 8) (“the 1999 Act”), section 2(1).

13. In the enactments specified in column 1 of Schedule 10, in the provisions specified in column 2—

- (a) for “Family Health Services Authority” or, as the case may be, “FHSA” or “Family Practitioner Committee” (5), in each place where it occurs unless otherwise specified in Schedule 10, there is substituted “Health Authority or Primary Care Trust”; and
- (b) for “FHSA's”, in each place it occurs unless otherwise specified in Schedule 10, there is substituted “Health Authority’s or Primary Care Trust's”.

14. In the enactments specified in column 1 of Schedule 11, in the provisions specified in column 2, for “District Health Authority” or, as the case may be, “district health authority”, in each place where it occurs unless otherwise specified in Schedule 11, there is substituted “Health Authority or Primary Care Trust”.

15. The consequential and transitional provisions in Schedule 12 shall have effect.

National Health Service Act 1977

16. Until the provisions of the Health and Social Care Act 2001 specified in Schedule 2 to the Health and Social Care Act 2001 (Commencement No. 6) (England) Order 2001(6) come into force for all purposes—

- (a) the references to Health Authority in sections 46 and 49A(1) of the National Health Service Act 1977(7) are to have effect as if they included references to a Primary Care Trust; and
- (b) the references to Health Authorities in section 46(4) of and paragraph 3 of Schedule 9 to that Act are to have effect as if they included references to Primary Care Trusts.

Community Health Councils (Access to Information) Act 1988

17. Until section 22 of the National Health Service Reform and Health Care Professions Act 2002 comes into force, the reference in section 1(6)(a) of the Community Health Councils (Access to Information) Act 1988(8) to any Health Authority is to have effect as if it included a reference to any Strategic Health Authority.

Continuing validity of forms

18. Notwithstanding the amendment made by Schedule 5 to the form of certificate set out in Part 2 of Schedule 2 to the Social Security (Medical Evidence) Regulations 1976(9), a form which complies with those regulations as in force on 30th September 2002 shall continue to be valid.

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- (5) Family Practitioner Committees were renamed as Family Health Services Authorities (FHSAs) by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 2. Family Health Services Authorities were abolished by the 1995 Act, section 1 and references to them are, unless the context otherwise requires, to be construed as references to Health Authorities under the Health Authorities Act 1995 (Amendment of Transitional Provisions and Modification of References) Order 1996 (S.I. 1996/971), article 3(2).
 - (6) S.I. 2001/3738. Articles 2(4) and (5) of and Schedule 2 to the Order provide for the coming into force of those provisions of the Health and Social Care Act 2001 (c. 15) (“the 2001 Act”) which relate to the abolition of the NHS Tribunal in England with effect from 14th December 2001. They bring into force the repeal of sections 46 and 49A of, and Schedule 9 to, the National Health Service Act 1977 (c. 49) (“the 1977 Act”) subject to savings in respect of cases not concluded by 14th December 2001 and pharmacist cases (as defined in Article 1 of the Order).
 - (7) 1977 c. 49. Section 46 was amended by the Health and Social Security Act 1984 (c. 48), Schedule 8, Part 1, the 1995 Act, Schedule 1, paragraphs 34(a) and (b) and the National Health Service (Amendment) Act 1995 (c. 31), sections 1, 2(2), 3(2) and Schedule, substituted by section 40(1) of the 1999 Act (not yet in force) and repealed by Schedule 6 to the 2001 Act (not yet fully in force); section 49A was inserted by the National Health Service (Amendment) Act 1995, section 2(1) and repealed by Schedule 6 to the 2001 Act (not yet fully in force); paragraphs 1 to 4 of Schedule 9 were substituted by the National Health Service (Amendment) Act 1995, section 6(2) and repealed by Schedule 6 to the 2001 Act (not yet fully in force).
 - (8) 1988 c. 24; section 1(6)(a) was amended by the 1990 Act, Schedule 9, paragraph 33, the 1995 Act, Schedule 1, paragraph 116 and the Health Act 1999 (Supplementary, Consequential etc. Provisions) Order 2000 (S.I. 2000/90) (“the 2000 Order”), Schedule 1, paragraph 21.
 - (9) S.I. 1976/615 as amended by S.I. 1991/2284 and 2001/2931.

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

Repeals and revocations

19.—(1) The enactments listed in Schedule 13 are repealed to the extent there specified.

(2) The National Health Service Trusts and Primary Care Trusts (Pharmaceutical Services Remuneration-Special Arrangement) Order 2000(**10**) is revoked.

Signed by authority of the Secretary of State

25th September 2002

John Hutton
Minister of State,
Department of Health