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STATUTORY INSTRUMENTS

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**2002 No. 2469**

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

**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(1) 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(2) 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.

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(1) [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).

(2) [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([c. 31](#)), sections 1, 2(2), 3(2) and Schedule, substituted by section 40(1) of the 1999 Act (not yet in force) and repealed by Schedule 6 to the 2001 Act (not yet fully in force); section 49A was inserted by the National Health Service (Amendment) Act 1995, section 2(1) and repealed by Schedule 6 to the 2001 Act (not yet fully in force); paragraphs 1 to 4 of Schedule 9 were substituted by the National Health Service (Amendment) Act 1995, section 6(2) and repealed by Schedule 6 to the 2001 Act (not yet fully in force).