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STATUTORY INSTRUMENTS

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**2002 No. 3038**

**The Commission for Patient and Public Involvement in Health (Membership and Procedure) Regulations 2002**

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Commission for Patient and Public Involvement in Health (Membership and Procedure) Regulations 2002 and shall come into force on 1st January 2003.

(2) These Regulations apply to England only.

(3) In these Regulations—

“the Act” means the National Health Service Reform and Health Care Professions Act 2002;

“the 1977 Act” means the National Health Service Act 1977(1);

“chairman” means, unless the context otherwise requires, the chairman of the Commission;

“the health service” has the same meaning as in the 1977 Act, except that it includes services provided in pursuance of arrangements made in accordance with the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000(2) in relation to the exercise of health-related functions of a local authority;

“health service body” means—

(a) a Strategic Health Authority, Special Health Authority, Primary Care Trust or NHS Trust;

(b) a Health Board or Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978(3); or the Scottish Dental Practice Board, the Common Services Agency for the Scottish Health Service or an NHS trust respectively constituted under sections 4, 10 and 12A of that Act;

(c) the Dental Practice Board constituted under section 37(1) of the 1977 Act;

“member” in relation to the Commission includes the chairman except where the context otherwise requires;

“primary care list” means a list either of persons undertaking to provide general medical services, general dental services, general ophthalmic services or, as the case may be, pharmaceutical services prepared pursuant to regulations made under section 29, 36, 39, 42 or 43 of the 1977 Act(4) or a list of persons approved for the purpose of assisting in the provision

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(1) 1977 c. 49.

(2) S.I.2000/617 (as amended by S.I. 2001/2237); see section 31 of the Health Act 1999 (c. 8) (“the 1999 Act”).

(3) 1978 c. 29. Section 2 was amended by the Health and Social Services and Social Security Adjudication Act 1983 (c. 41), Schedule 7, paragraph 1 and by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 25; section 4 was amended by the Health and Medicines Act 1988 (c. 49), section 12(3) and Schedule 3; section 10 was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 2 and the 1990 Act, Schedule 10; section 12A was inserted by the 1990 Act, section 31 and amended by section 46(1) of the 1999 Act.

(4) Section 29 was extended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 17; and amended by the following: the Health Services Act 1980 (c. 53) (“the 1980 Act”), sections 1 and 7 and Schedule 1, paragraph 42(b); the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 6, paragraph 2; the Medical Act 1983 (c. 54), section 56(1) and Schedule 5, paragraph 16(a); by S.I. 1985/39, article 7(3); the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 18; the National Health Service (Primary Care) Act 1997 (c. 46) (“the 1997 Act”), Schedule 2, paragraph 8; the Health and Social Care Act 2001 (“the 2001 Act”), section 17, and the National Health

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of any such services prepared pursuant to regulations made under section 43D of the 1977 Act<sup>(5)</sup>.

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Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 2, paragraph 3; section 36(1) was so numbered by the Health and Social Security Act 1984 (c. 48) (“the 1984 Act”), Schedule 3, paragraph 5(1) and amended by S.I. 1981/432, article 3(3)(a); by S.I. 1985/39, article 7(10); by the 1988 Act, Schedule 2, paragraph 4; by the 1990 Act, section 24 and by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), Schedule 1, paragraph 25(a); section 36(4)–(8) was inserted by the 2001 Act, section 20(1)(4)(c); section 39 was extended by the 1988 Act, section 17; and amended by the 1980 Act, section and Schedule 1, paragraph 52; by the 1984 Act, section 1(4), Schedule 1, Part 1, paragraph 1 and Schedule 8, Part 1; by S.I. 1985/39, article 7(12); by the 1995 Act, Schedule 1, paragraph 28; by the Health Act 1999 (c. 8), section 9(4) and the 2001 Act, section 20(5) and 23(4); section 42 was substituted by the National Health Service (Amendment) Act 1986 (c. 66), section 3(1); extended by the 1988 Act (c.49), section 17; and amended by S.I. 1987/2202, article 4; by the 1990 Act, section 12(3); by the 1995 Act, Schedule 1, paragraph 30; and by the 2001 Act, section 43(2), (3) and (4).

(5) Section 43D was inserted by the 2001 Act, section 24.