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STATUTORY INSTRUMENTS

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**2004 No. 289 (C. 13)**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Health Act 1999 (Commencement No. 14) Order 2004**

*Made - - - - 2nd February 2004*

The Secretary of State for Health, in exercise of the powers conferred on him by section 67(1) and (2) of the Health Act 1999(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

- 1.—(1) This Order may be cited as the Health Act 1999 (Commencement No. 14) Order 2004.
- (2) This Order applies to England only.

**Appointed day**

2. 1st April 2004 is the day appointed for the coming into force of section 6(2) of the Health Act 1999 (delegation of Health Authority functions relating to pilot schemes and section 28C arrangements)(2).

2nd February 2004

*John Hutton*  
Minister of State,  
Department of Health

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(1) 1999 c. 8.  
(2) Section 28EE was repealed by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 9.

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## EXPLANATORY NOTE

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

This Order brings into force on 1st April 2004 section 6(2) of the Health Act 1999 which inserts new section 28EE into the National Health Service Act 1977 (delegation of Health Authority functions relating to pilot schemes and section 28C arrangements).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Health Act 1999 have been, or are to be, brought into force by commencement order made before the date of this Order. In addition to the provisions listed below, various provisions of Part II of, and Schedules 4 and 5 to, the Act that extend only to Scotland have been brought into force on 1st October 1999 by the [Health Act 1999 \(Commencement No. 4\) \(Scotland\) Order 1999, S.S.I. 1999/90 \(C. 66\)](#), on 14th October 1999 by the [Health Act 1999 \(Commencement No. 6\) \(Scotland\) Order 1999, S.S.I. 1999 No. 115 \(C. 73\)](#) and on 1st March 2000 by the [Health Act 1999 \(Commencement No.7\) \(Scotland\) Order 2000, S.S.I. 2000 No. 38 \(C. 2\)](#).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 1 as to England	1.10.99	1999/2540
as to Wales	1.4.00	2000/1026
s. 2 as to England (partially) (remainder)	8.9.99	1999/2342
	4.1.00	1999/2342
s. 3 as to England	1.4.00	1999/2342
s. 4 as to England (partially) (remainder)	1.9.99	1999/2342
	1.4.00	1999/2342
s. 5 as to England (partially)	4.1.00	1999/2342
s. 6(1) as to England	4.1.00	1999/2342
s. 7 as to England	4.1.00	1999/2342
s. 8 as to England	1.9.99	1999/2342
s. 9 as to England as to Wales	1.4.00	1999/2793
	1.4.00	2000/1041
s. 11 as to England as to Wales	1.9.99	1999/2342
	1.4.00	2000/1026

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 12 as to England (partially)	1.9.99	1999/2342
(remainder) as to Wales (partially)	4.1.00	1999/2342
	1.12.99	3184
ss. 13 and 14 as to England as to Wales	1.10.99	1999/2540
	1.11.99	3184
ss. 15 to 17 as to England as to Wales	1.9.99	1999/2342
	1.11.99	3184
s. 18 as to England (partially)	1.11.99	1999/2793
(remainder) as to Wales (partially)	4.1.00	1999/2793
	1.11.99	3184
s. 19	1.11.99	1999/2793
s. 20 as to England and Wales (partially)	1.11.99	1999/2793
as to England (remainder)	4.1.00	1999/2793
s. 21 as to England as to Wales	4.1.00	1999/2793
	4.1.00	2000/1041
ss. 23 to 25	1.11.99	1999/2793
ss. 26 to 27 as to England as to Wales (partially)	1.4.00	1999/2793
	1.12.00	2000/2991
s. 28 as to England as to Wales (partially)	1.4.00	1999/2793
	1.11.99	3184
s. 29 as to England (partially)	1.11.99	1999/2793
(remainder) as to Wales (partially)	1.4.00	1999/2793
	1.12.00	2000/2991
ss. 30 to 32 as to England	1.4.00	1999/2793
ss. 30 and 31 as to Wales (partially)	1.12.00	2000/2991
	1.1.01	2000/2991
s. 32 as to Wales	1.9.99	1999/2177

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
s. 33(1) to (6) (partially)		
s. 34 (partially) (remainder)	3.8.99	1999/2177
	1.11.99	1999/2177
s. 36 (partially)	3.8.99	1999/2177
s. 37 (partially)	3.8.99	1999/2177
37(1) to (9) (remainder)	1.11.99	1999/2177
s. 38 (partially) (partially) (partially)	3.8.99	1999/2177
	1.9.99	1999/2177
	1.11.99	1999/2177
s. 39 as to England as to Wales	1.11.99	1999/2793
	9.2.01	2001/270
s. 41	1.4.00	1999/2793
ss. 42 to 44	1.10.99	1999/2540
s. 60 (partially) (partially) (partially) (partially)	15.3.00	2000/779
	11.5.01	2001/1985
	1.4.02	2002/1167
	9.7.03	2003/1689
s. 62	3.8.99	1999/2177
s. 63	3.8.99	1999/2177
s. 64	3.8.99	1999/2177
Schedule 1		
	8.9.99	1999/2342
as to England (partially)		
	4.1.00	1999/2342
as to England (partially)		
	1.4.00	1999/2342
as to England (remainder)		
Schedule 2		
	1.11.99	1999/2793
as to England and Wales		
	11.5.01	2001/1985
paragraphs 15 to 19 as to Scotland	11.5.01	2001/1985
paragraphs 17 to 19 as to Northern Ireland		

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Schedule 4 (and s. 65(1) in so far as it relates to the paragraphs specified below)—		
paragraphs 4 (partially), 6, 9 (partially), 12(1) (partially), 12(3)(b), 24, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 37(5) and (6), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 84, 88(1) (partially) and 88(5) as to England	1.9.99	1999/2342
paragraphs 8 (partially), 15, 27(a) (partially), 71 (partially), 83(1) (partially), 83(6), 85(1) (partially), 85(3) and (4), 88(1) (partially), 88(6) and 90 as to England	1.10.99	1999/2540
paragraphs 4 (partially), 14(1), (3) and (4) (partially), 14(2) and paragraph 36 as to England	1.11.99	1999/2793
paragraphs 74 (partially), 76(a) (ii), 81(1) (partially) and 81(2) (b) as to England and Wales	1.11.99	1999/2793
paragraphs 4 (partially), 37(1) (partially), 37(5) and (6), 79(1) (partially) and 79(2)(a) and (c) as to Wales	1.11.99	1999/3184
paragraphs 4 (partially), 5, 6, 9 (partially), 12(1) (partially), 12(3)(b), 15, 26, 30(1) (partially), 30(2), 31(1) (partially), 31(3), 32, 34(b), 37(1) and (4) (partially), 38(1) and (3) (partially), 39, 74 (partially), 75, 76(b), 83(1) (partially), 83(4), 88(1) (partially) and 88(5) as to Wales	1.12.99	1999/3184
paragraphs 1, 3, 4 (partially), 5, 7, 9 remainder), 10, 11, 12 remainder), 13, 23, 25, 27(a) remainder), 28, 29, 30 remainder), 34 remainder), 37 remainder),	4.1.00	1999/2342

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
38(1) (partially), 38(2)(a) and (c), 38(3) (remainder), 40, 71 (remainder), 74 (partially), 77 to 79, 81 (except (2)(b)), 83(1) to (5) and (7) (remainder), 87, 88(1) to (5) (remainder) and 89 as to England		
paragraphs 74 (partially), 76(a) (i), 85(1) (partially) and 85(2) (a) as to England and Wales	4.1.00	1999/2342
paragraphs 4 (partially) and 16 as to England	4.1.00	1999/2540
paragraphs 4 (partially), 31 (remainder), 33 and 35 as to England	1.4.00	1999/2342
paragraphs 4 (partially), 14 (remainder) and 72 as to England	1.4.00	1999/2793
paragraphs 73, 74 (partially), 82 and 86 as to England and Wales	1.4.00	1999/2342
paragraphs 4 (partially), 27(b), 38(1) (partially), 38(2)(b) and (d) and 65 as to England and Wales	1.4.00	1999/2793
paragraphs 4 (partially), 8 (partially), 24, 27(a) (partially), 71(a) and (b), 74 (partially), 83(6), 84, 85(4) and 90 as to Wales	1.4.00	2000/1026
paragraphs 4 (partially) and 14 (partially) as to Wales	1.12.00	2000/2991
paragraphs 4 (partially), 14 (partially) and 72 as to Wales	1.1.01	2000/2991
paragraphs 73 and 86 (as to Scotland and Northern Ireland)	11.5.01	2001/1985
Schedule 5 (and s. 65(2))—		
as to England (partially)	1.10.99	1999/2540
	1.11.99	1999/2793
as to England (partially)	1.11.99	1999/2793
as to England and Wales (partially)	1.4.00	1999/2793
	1.11.99	1999/2793

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
as to England and Wales (partially)	1.4.00	2000/1041
	9.2.01	2001/270
as to the United Kingdom (partially)	11.5.01	2001/1985
as to England and Wales (partially)	1.4.02	2002/1167
	9.7.03	2003/1689
as to England and Wales (partially)		
as to the United Kingdom (partially)		
as to the United Kingdom (partially)		
as to the United Kingdom (partially)		