

---

STATUTORY INSTRUMENTS

---

**2008 No. 1147**

**The Health Act 2006 (Commencement No. 4) Order 2008**

**Appointed days for provisions relating to the protection of NHS from fraud and other unlawful activities**

3. 22nd April 2008 is the day appointed for the coming into force of—
- (a) Chapter 3 of Part 4, except so far as it relates to the Welsh Ministers' counter fraud functions in relation to the health service in Wales<sup>(1)</sup> or to offences committed in relation to those functions, so far as it has not already been brought into force<sup>(2)</sup>;
  - (b) sections 76 to 78 in so far as they relate to offences under Chapter 3 of Part 4, except so far as they relate to the Welsh Ministers' counter fraud functions in relation to the health service in Wales or to offences committed in relation to those functions; and
  - (c) sections 76 and 77, in relation to England and Scotland, and section 78, in relation to England, so far as they relate to offences under Chapter 1 of Part 3 (including offences created in regulations under that chapter).

---

(1) In relation to Wales, Chapter 3 of Part 4 was, by virtue of section 8(5) of the National Health Service (Consequential Provisions) Act 2006 (c.43) and section 208(4) of the National Health Service (Wales) Act 2006 (c.42), repealed and re-enacted as Part 10 of the National Health Service (Wales) Act 2006 immediately after the coming into force of that Chapter. The functions conferred on the National Assembly for Wales by that Chapter were transferred to the Welsh Ministers by paragraph 30(2) of Schedule 11 to the Government of Wales Act 2006 (c.32).

(2) Section 83(1)(e) of the Act commenced the provisions of Chapter 3 of Part 4 in so far as they confer powers to make regulations or define any expression relevant to the exercise of such powers; to the extent that those provisions are in force, they have been repealed by Schedule 4 to the National Health Service (Consequential Provisions) Act 2006 and re-enacted as provisions of Part 10 of the National Health Service Act 2006.