
STATUTORY INSTRUMENTS

2013 No. 235

NATIONAL HEALTH SERVICE, ENGLAND

**The National Treatment Agency (Abolition) and the
Health and Social Care Act 2012 (Consequential,
Transitional and Saving Provisions) Order 2013**

Made - - - - *5th February 2013*

Laid before Parliament *13th February 2013*

Coming into force *1st April 2013*

**THE NATIONAL TREATMENT AGENCY (ABOLITION) AND THE
HEALTH AND SOCIAL CARE ACT 2012 (CONSEQUENTIAL,
TRANSITIONAL AND SAVING PROVISIONS) ORDER 2013**

PART 1

General

1. Citation, commencement, extent and application

PART 2

Abolition of the National Treatment Agency

2. Interpretation
3. Abolition of the Agency
4. Transfer of staff to the Secretary of State
5. Transfer of property and liabilities
6. Continuity and supplementary provision
7. Complaints
8. Winding up of affairs of the Agency
9. Amendments and revocations consequential on the abolition of the Agency

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Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. (See end of Document for details)

Signature

SCHEDULES

SCHEDULE 1 — The National Treatment Agency: amendments and revocations — *Instruments amended*

1. The National Health Service Trusts (Membership and Procedure) Regulations 1990
2. The Health Service Commissioner for England (Special Health Authorities) Order 2005
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3. The National Treatment Agency (Establishment and Constitution) Order 2001
4. The National Treatment Agency Regulations 2001
5. The National Treatment Agency (Amendment) Regulations 2001
6. The National Treatment Agency (Establishment and Constitution) Amendment Order 2003

SCHEDULE 2 — Consequential amendments and revocations

PART 1 — Instruments amended

1. The Public Trustee Rules 1912
2. The Health and Personal Social Services (Northern Ireland) Order 1972
3. The National Health Service (Venereal Diseases) Regulations 1974
4. The National Health Service (Family Practitioner Committees—Supply of Goods) Regulations 1974
5. The National Health Service (Speech Therapists) Regulations 1974
6. The Social Security (Medical Evidence) Regulations 1976
7. The Health and Safety at Work (Northern Ireland) Order 1978
8. The National Health Service (Transfer of Officers) (No. 2) Regulations 1986
9. The Statutory Maternity Pay (Medical Evidence) Regulations 1987
10. The Income Support (General) Regulations 1987
11. The Social Security (Claims and Payments) Regulations 1987
12. The National Health Service (Payment of Remuneration—Special Arrangement) Order 1988
13. The National Health Service Trusts (Membership and Procedure) Regulations 1990
14. The National Health Service (Remuneration and Conditions of Service) Regulations 1991
15. The Statutory Sick Pay (National Health Service Employees) Regulations 1991
16. The Statutory Maternity Pay (National Health Service Employees) Regulations 1991
17. The Children (Secure Accommodation) Regulations 1991
18. The Children (Secure Accommodation) (No. 2) Regulations 1991
19. The Health and Social Services Councils Regulations (Northern Ireland) 1991
20. The Child Support (Maintenance Assessments and Special Cases) Regulations 1992
21. The Child Support (Maintenance Arrangements and Jurisdiction) Regulations 1992

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22. The Residential Accommodation (Determination of District Health Authority) Regulations 1992
23. The Child Support (Maintenance Arrangements and Jurisdiction) Regulations (Northern Ireland) 1992
24. The Redundancy Payments (National Health Service) (Modification) Order 1993
25. The Health and Social Services Trusts (Membership and Procedure) Regulations (Northern Ireland) 1994
26. The National Health Service Litigation Authority Regulations 1995
27. The Jobseeker's Allowance Regulations 1996
28. The National Health Service (Existing Liabilities Scheme) Regulations 1996
29. The National Health Service (Appointment of Consultants) Regulations 1996
30. The Employment Protection (Continuity of Employment of National Health Service Employees) (Modification) Order 1996
31. The National Health Service (Appointment of Consultants) (Wales) Regulations 1996
32. The Social Security Benefit (Computation of Earnings) Regulations 1996
33. The Housing Renewal Grants Regulations 1996
34. The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998
35. The Prison Rules 1999
36. The Control of Major Accident Hazards Regulations 1999
37. The National Health Service (Liabilities to Third Parties Scheme) Regulations 1999
38. The National Health Service (Property Expenses Scheme) Regulations 1999
39. The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999
40. The Education (Special Educational Needs) (Information) (England) Regulations 1999
41. The Data Protection (Subject Access Modification) (Social Work) Order 2000
42. The NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000
43. The Water Supply (Water Quality) Regulations 2000
44. The Young Offender Institution Rules 2000
45. The Immigration and Asylum Act 1999 (Part V Exemption: Educational Institutions and Health Sector Bodies) Order 2001
46. The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001
47. The Radiation (Emergency Preparedness and Public Information) Regulations 2001
48. The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001
49. The Children's Homes Regulations 2001
50. The Misuse of Drugs Regulations 2001
51. The Nursing and Midwifery Order 2001
52. The Health and Social Work Professions Order 2001
53. The Northern Ireland Social Care Council (Appointments and Procedure) Regulations (Northern Ireland) 2001
54. The State Pension Credit Regulations 2002

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55. The Tax Credits (Definition and Calculation of Income) Regulations 2002
56. The Statutory Paternity Pay and Statutory Adoption Pay (National Health Service Employees) Regulations 2002
57. The Residential Family Centres Regulations 2002
58. The Misuse of Drugs Regulations (Northern Ireland) 2002
59. The Health, Social Care and Well-being Strategies (Wales) Regulations 2003
60. The Voluntary Adoption Agencies and the Adoption Agencies (Miscellaneous Amendments) Regulations 2003
61. The School Organisation Proposals by the Learning and Skills Council for England Regulations 2003
62. The Delayed Discharges (England) Regulations 2003
63. The Registration of Establishments (Laying Hens) (England) Regulations 2003
64. The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004
65. The National Health Service (Performers Lists) (Wales) Regulations 2004
66. The Medicines for Human Use (Clinical Trials) Regulations 2004
67. The Registration of Establishments (Laying Hens) (Wales) Regulations 2004
68. The Justification of Practices Involving Ionising Radiation Regulations 2004
69. The National Health Service (Primary Medical Services Performers Lists) (Scotland) Regulations 2004
70. The National Health Service (General Medical Services Contracts) (Scotland) Regulations 2004
71. The National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2004
72. The Community Health Partnerships (Scotland) Regulations 2004
73. The Regulation and Improvement Authority (Appointments and Procedure) Regulations (Northern Ireland) 2004
74. The Northern Ireland Medical and Dental Training Agency (Establishment and Constitution) Order (Northern Ireland) 2004
75. The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004
76. The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004
77. The Blood Safety and Quality Regulations 2005
78. The Health Service Commissioner for England (Special Health Authorities) Order 2005
79. The Adoption Agencies Regulations 2005
80. The Adoptions with a Foreign Element Regulations 2005
81. The Adoption Support Services Regulations 2005
82. The Special Guardianship Regulations 2005
83. The Adoption Agencies (Wales) Regulations 2005
84. The Adoption Support Services (Local Authorities) (Wales) Regulations 2005
85. The Special Guardianship (Wales) Regulations 2005
86. The Adoption Support Agencies (Wales) Regulations 2005
87. The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005
88. The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005

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89. The NHS Blood and Transplant (Gwaed a Thrawsblaniadau'r GIG) Regulations 2005
90. The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005
91. The Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005
92. The Health Service Commissioner for England (Special Health Authorities) (No. 2) Order 2005
93. The Housing Benefit Regulations 2006
94. The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
95. The National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006
96. The National Health Service (General Dental Services Contracts) (Wales) Regulations 2006
97. The National Health Service (Dental Charges) (Wales) Regulations 2006
98. The Highways Act 1980 (Gating Orders) (England) Regulations 2006
99. The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (General) Regulations 2006
100. The Crime and Disorder Act 1998 (Intervention Orders) Order 2006
101. The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Expansion of Role) Regulations 2006
102. The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006
103. The National Health Service Central Register (Scotland) Regulations 2006
104. The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007
105. The Placement of Children (Wales) Regulations 2007
106. The NHS Direct National Health Service Trust (Establishment) Order 2007
107. The School Governance (Constitution) (England) Regulations 2007
108. The School Governance (New Schools) (England) Regulations 2007
109. The School Governance (Federations) (England) Regulations 2007
110. The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007
111. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007
112. The Health Service Medicines (Information Relating to Sales of Branded Medicines etc) Regulations 2007
113. The School Organisation (Transitional Provisions) (England) Regulations 2007
114. The Community Drivers' Hours and Recording Equipment Regulations 2007
115. The Crime and Disorder (Prescribed Information) Regulations 2007
116. The Employment and Support Allowance Regulations 2008
117. The Mental Health (Hospital, Guardianship and Treatment) (England) Regulations 2008
118. The Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008
119. The Private Dentistry (Wales) Regulations 2008
120. The Mental Health (Hospital, Guardianship, Community Treatment and Consent to Treatment) (Wales) Regulations 2008
121. The Mental Health Review Tribunal for Wales Rules 2008
122. The Health Protection (Vaccination) Regulations 2009

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123. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
124. The Health and Social Care Act 2008 (Commencement No. 9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009
125. The General Osteopathic Council (Constitution of the Statutory Committees) Rules Order of Council 2009
126. The Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009
127. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009
128. The Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009
129. The Local Health Boards (Directed Functions) (Wales) Regulations 2009
130. The Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009
131. The Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009
132. The Welsh Health Specialised Services Committee (Wales) Regulations 2009
133. The Private Water Supplies Regulations 2009
134. The Care Quality Commission (Registration) Regulations 2009
135. The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009
136. The Regional Agency for Public Health and Social Well-being (Membership) Regulations (Northern Ireland) 2009
137. The Regional Health and Social Care Board (Membership) Regulations (Northern Ireland) 2009
138. The Regional Business Services Organisation (Membership and Procedure) Regulations (Northern Ireland) 2009
139. The Patient and Client Council (Membership and Procedure) Regulations (Northern Ireland) 2009
140. The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009
141. The Local Commissioning Groups (Membership) Regulations (Northern Ireland) 2009
142. The Private Water Supplies (Wales) Regulations 2010
143. The National Health Service (Functions of the First-tier Tribunal relating to Primary Medical, Dental and Ophthalmic Services) Regulations 2010
144. The Pharmacy Order 2010
145. The Community Health Councils (Constitution, Membership and Procedure) (Wales) Regulations 2010
146. The Children's Trust Board (Relevant Partners) (Exceptions) (England) Regulations 2010
147. The Health Protection (Part 2A Orders) Regulations 2010
148. The Health Protection (Notification) Regulations 2010
149. The National Health Service Trusts (Consultation on Establishment and Dissolution) Regulations 2010
150. The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010
151. The Care Planning, Placement and Case Review (England) Regulations 2010
152. The Water Supply (Water Quality) Regulations 2010

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153. The Human Fertilisation and Embryology (Disclosure of Information for Research Purposes) Regulations 2010
154. The National Health Service (Direct Payments) Regulations 2010
155. The Town and Country Planning (Development Management Procedure) (England) Order 2010
156. The Family Procedure Rules 2010
157. The National Health Service (General Dental Services) (Scotland) Regulations 2010
158. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010
159. The Medical Profession (Responsible Officers) Regulations (Northern Ireland) 2010
160. The Fostering Services (England) Regulations 2011
161. The Arrangements for Placement of Children by Voluntary Organisations and Others (England) Regulations 2011
162. The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011
163. The Accounts and Audit (England) Regulations 2011
164. The National Health Service (Charges to Overseas Visitors) Regulations 2011
165. The Education (Student Support) Regulations 2011
166. The Equality Act 2010 (Specific Duties) Regulations 2011
167. The Health Research Authority Regulations 2011
168. The Neighbourhood Planning (General) Regulations 2012
169. The Town and Country Planning (Local Planning) (England) Regulations 2012
170. The National Health Service Trust Development Authority (Establishment and Constitution) Order 2012
171. The National Health Service Trust Development Authority Regulations 2012
172. The Local Authorities (Committee System) (England) Regulations 2012
173. The Velindre National Health Service Trust Shared Services Committee (Wales) Regulations 2012
174. The Health Education England Regulations 2012
175. The National Health Service (Clinical Commissioning Groups) Regulations 2012
176. The Human Medicines Regulations 2012
177. The Nursing and Midwifery Council (Midwives) Rules 2012
178. The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012
PART 2 — Instruments revoked
179. The National Institute for Clinical Excellence (Establishment and Constitution) Order 1999
180. The National Institute for Clinical Excellence Regulations 1999
181. The National Institute for Clinical Excellence (Amendment) Regulations 1999
182. The National Institute for Clinical Excellence (Establishment and Constitution) Amendment Order 1999
183. The National Patient Safety Agency Regulations 2001
184. The National Institute for Clinical Excellence (Amendment) Regulations 2002
185. The National Institute for Clinical Excellence (Establishment and Constitution) Amendment Order 2002

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. (See end of Document for details)

186. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Regulations 2002
187. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2003
188. The National Institute for Clinical Excellence (Establishment and Constitution) Amendment Order 2005
189. The National Institute for Clinical Excellence (Amendment) Regulations 2005
190. The Health and Social Care Information Centre (Establishment and Constitution) Order 2005
191. The Health and Social Care Information Centre Regulations 2005
192. The NHS Institute for Innovation and Improvement Regulations 2005
193. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2006
194. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2007
195. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment No. 2) Regulations 2007
196. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2008
197. The Health and Social Care Information Centre (Transfer of Staff, Property and Liabilities) Order 2008
198. The National Health Service (Directions by Strategic Health Authorities to Primary Care Trusts Regarding Arrangements for Involvement) (No. 2) Regulations 2008
199. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2009
200. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2010
201. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) Amendment (No. 2) Regulations 2010
202. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2011
203. The National Health Service (Functions of Strategic Health Authorities and Primary Care Trusts and Administration Arrangements) (England) (Amendment) Regulations 2012
204. The National Patient Safety Agency (Amendment) Regulations 2012

SCHEDULE 3 — Transitional and Saving Provisions

1. Elections relating to statutory sick pay
2. Elections relating to statutory maternity pay
3. Continuing effect of applications to court
4. Special educational needs: unfulfilled requests for medical advice

Changes to legislation: There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013. (See end of Document for details)

5. Continuing validity of prescription forms
6. Local supervising authority
7. Elections relating to statutory paternity and statutory adoption pay
8. Continuing validity of medical cards
9. Duty to co-operate with complaints
10. The amendment made by paragraph 70(1) and (3)(b) of Schedule...
11. The absence of reference to 'Primary Care Trusts' from the...
12. The amendment made by paragraph 75(1) and (4)(b) of Schedule...
13. The amendment made by paragraph 95(1) and (4)(c) of Schedule...
14. The amendment made by paragraph 96(1) and (4)(c) of Schedule...
15. Continuing validity of nominations
16. Continuing validity of guidance
17. Any guidance issued by the National Institute for Health and...
18. Complaints under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
19. (1) This paragraph applies to any complaint made to a...
20. (1) This paragraph applies to any complaint under the Local...
21. If a local authority— (a) takes over the handling of...
22. Continuing operation of pilot schemes
23. Ongoing complaints: Wales
24. Unpaid service to be taken into account
25. Publication of public sector equality duty information and equality objectives
26. In its application to the National Health Service Commissioning Board,...
27. In its application to a clinical commissioning group, regulation 3(2)(a)...
28. Continuing validity and effect of patient group directions

Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013.