

SCHEDULE 2

Regulation 4(2)

Consequential Revocations and Amendments to Secondary Legislation

Amendment of the National Health Service Litigation Authority (Establishment and Constitution) Order 1995

1. In article 1 (2) (citation, commencement and interpretation) of the National Health Service Litigation Authority (Establishment and Constitution) Order 1995(1), in the definition of “NHS body”, omit “Health Education England”.

Amendment of the National Health Service Litigation Authority Regulations 1995

2. In regulation 7(1)(ea) (disqualification for appointment) of the National Health Service Litigation Authority Regulations 1995(2), omit “Health Education England”.

Amendment of the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999

3. In regulation 3 (eligible bodies) of the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999(3), omit paragraph (cza).

Amendment of the National Health Service (Property Expenses Scheme) Regulations 1999

4. In regulation 3 (eligible bodies) of the National Health Service (Property Expenses Scheme) Regulations 1999(4), omit paragraph (cza).

Amendment of the National Health Service (General Dental Services Contracts) Regulations 2005

5. In paragraph 79A (duty as to education and training) in Part 10 of Schedule 3 (other contractual terms) to the National Health Service (General Dental Services Contracts) Regulations 2005(5), in both places it occurs, for “Health Education England” substitute “NHS England”.

Amendment of the National Health Service (Personal Dental Services Agreements) Regulations 2005

6. In paragraph 77A (duty as to education and training) in Part 10 of Schedule 3 (other contractual terms) to the National Health Service (Personal Dental Services Agreements) Regulations 2005(6), in both places it occurs, for “Health Education England” substitute “NHS England”.

(1) S.I. 1995/2800, as amended by S.I. 2015/137; there are other amendments but none is relevant.

(2) S.I. 1995/2801; relevant amending instruments are S.I. 2013/235 and 2015/137.

(3) S.I. 1999/873; relevant amending instruments are S.I. 2015/137 and 2018/756. Regulation 3 is revoked in relation to England by S.I. 2018/756 but remains in force in Wales.

(4) S.I. 1999/874; relevant amending instruments are S.I. 2015/137 and 2018/757. Regulation 3 is revoked in relation to England by S.I. 2018/757 but remains in force in Wales.

(5) S.I. 2005/3361; relevant amending instruments are S.I. 2013/364 and 2015/137.

(6) S.I. 2005/3373; relevant amending instruments are S.I. 2013/364 and 2015/137.

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Amendment of the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005

7. In regulation 3 (disqualification for appointment) of the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Regulations 2005(7), in paragraph (1)(j), omit paragraph (vi) but not the “or” after it.

Amendment of the General Ophthalmic Services Contracts Regulations 2008

8. In paragraph 56 (duty as to education and training) in Part 8 of Schedule 1 (other contractual terms) to the General Ophthalmic Services Contracts Regulations 2008(8), in both places it occurs, for “Health Education England” substitute “NHS England”.

Amendment of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009 (English language text)

9.—(1) The English language text of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009(9) is amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “former health service body” (“cyn gorff gwasanaeth iechyd”), for “or the Health and Social Care Information Centre” substitute “, the Health and Social Care Information Centre or Health Education England”;
- (b) in the definition of “health service body” (“corff gwasanaeth iechyd”), omit “Health Education England.”.

Amendment of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009 (Welsh language text)

10.—(1) The Welsh language text of the Local Health Boards (Constitution, Membership and Procedures) (Wales) Regulations 2009(10) (Rheoliadau Byrddau Iechyd Lleol (Cyfansoddiad, Aelodaeth a Gweithdrefnau) (Cymru) 2009) is amended as follows.

(2) In regulation 2 (dehongli)—

- (a) in the definition of “cyn gorff gwasanaeth iechyd” (“former health service body”), for “neu’r Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol” substitute “, y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol neu Addysg Iechyd Lloegr”;
- (b) in the definition of “corff gwasanaeth iechyd” (“health service body”), omit “Addysg Iechyd Lloegr.”.

Amendment of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 (English language text)

11.—(1) The English language text of Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009(11) is amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(7) S.I. 2005/2415; relevant amending instruments are S.I. 2006/633 and 2015/137.

(8) S.I. 2008/1185; relevant amending instruments are S.I. 2013/365 and 2015/137.

(9) S.I. 2009/779 (W. 67); relevant amending instruments are S.I. 2012/1641, 2013/235, 2015/137, 2022/634 and 2023/98.

(10) S.I. 2009/779 (W. 67); relevant amending instruments are S.I. 2012/1641, 2013/235, 2015/137, 2022/634 and 2023/98.

(11) S.I. 2009/1385 (W. 141); relevant amending instruments are S.I. 2013/235, 2015/137, 2022/634 and 2023/98.

- (a) in the definition of “former health service body” (“cyn gorff gwasanaeth iechyd”), for “or the Health and Social Care Information Centre” substitute “, the Health and Social Care Information Centre or Health Education England”;
- (b) in the definition of “health service body” (“corff gwasanaeth iechyd”), omit subparagraph (h).

Amendment of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009 (Welsh language text)

12.—(1) The Welsh language text of the Public Health Wales National Health Service Trust (Membership and Procedure) Regulations 2009(**12**) (Rheoliadau Ymddiriedolaeth Gwasanaeth Iechyd Gwladol Iechyd Cyhoeddus Cymru (Aelodaeth a Gweithdrefn) 2009) is amended as follows.

(2) In regulation 1(2) (enwi, cychwyn a dehongli)—

- (a) in the definition of “cyn gorff gwasanaeth iechyd” (“former health service body”), for “neu’r Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol” substitute “, y Ganolfan Gwybodaeth Iechyd a Gofal Cymdeithasol neu Addysg Iechyd Lloegr”;
- (b) in the definition of “corff gwasanaeth iechyd” (“health service body”), omit subparagraph (h).

Amendment of the Medical Profession (Responsible Officers) Regulations 2010

13.—(1) The Medical Profession (Responsible Officers) Regulations 2010(**13**) are amended as follows.

(2) In regulation 5 (duty to nominate or appoint responsible officers)—

- (a) omit paragraphs (2A) and (4A);
- (b) in paragraph (3), for “paragraphs (1), (2) or (2A)” substitute “paragraphs (1) or (2)”.

(3) In regulation 10(1)(a)(ia) (connection between designated bodies and medical practitioners), in both places it occurs, for “Health Education England” substitute “NHS England”.

(4) In regulation 12 (connection between designated bodies and medical practitioners who are responsible officers), in the table in paragraph (1), omit entry 3.

(5) In Part 1 to the Schedule (designated bodies), omit paragraph 14A.

Amendment of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013

14.—(1) The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013(**14**) are amended as follows.

(2) In regulation 2(1) (interpretation), omit the definition of “Health Education England”.

(3) In paragraph 33 (co-operation with Health Education England) of Part 4 of Schedule 4 (terms of service of NHS pharmacists), in each place it occurs, including the heading, for “Health Education England” substitute “NHS England”.

(4) In paragraph 23 (co-operation with Health Education England) of Schedule 5 (terms of service of NHS appliance contractors), in each place it occurs, including the heading, for “Health Education England” substitute “NHS England”.

(12) [S.I. 2009/1385 \(W. 141\)](#); relevant amending instruments are [S.I. 2013/235](#), [2015/137](#), [2022/634](#) and [2023/98](#).

(13) [S.I. 2010/2841](#); relevant amending instruments are [S.I. 2013/391](#) and [2022/634](#).

(14) [S.I. 2013/349](#), as amended by [S.I. 2015/137](#); there are other amendments but none is relevant.

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(5) In paragraph 16 (co-operation with Health Education England) of Schedule 7 (mandatory terms for LPS schemes), in each place it occurs, including the heading, for “Health Education England” substitute “NHS England”.

Revocation of the Health Education England Regulations 2014

15. The Health Education England Regulations 2014(15) are revoked.

Revocation of the Health Education England (Transfer of Staff, Property and Liabilities) Order 2014

16. The Health Education England (Transfer of Staff, Property and Liabilities) Order 2014(16) is revoked.

Amendment of the Public Interest Disclosure (Prescribed Persons) Order 2014

17. In the table in the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 2014(17)—

- (a) omit the entry relating to Health Education England;
- (b) in the second column of the entry relating to NHS England, at the end insert “Matters relating to NHS England’s education and training functions conferred on NHS England by or under Chapter 1 of Part 3 of the Care Act 2014.”.

Amendment of the National Health Service (Clinical Negligence Scheme) Regulations 2015

18. In regulation 4 (eligible bodies) of the National Health Service (Clinical Negligence Scheme) Regulations 2015(18), omit paragraph (1)(e).

Amendment of the Town and Country Planning (General Permitted Development) (England) Order 2015

19. In Part 12A (development by Local Authorities and Health Service Bodies) of Schedule 2 (permitted development rights) to the Town and Country Planning (General Permitted Development) (England) Order 2015(19), in paragraph A.3(1), in the definition of “health service body”, omit paragraph (d).

Amendment of the National Health Service (General Medical Services Contracts) Regulations 2015

20. In regulation 90 (co-operation with the Secretary of State and Health Education England) of the National Health Service (General Medical Services Contracts) Regulations 2015(20), in each place it occurs, including in the heading, for “Health Education England” substitute “NHS England”.

(15) [S.I. 2014/3215](#).

(16) [S.I. 2014/3218](#).

(17) [S.I. 2014/2418](#); relevant amending instruments are [S.I. 2015/1981](#) and [2022/634](#).

(18) [S.I. 2015/559](#), to which there are no relevant amendments.

(19) [S.I. 2015/596](#). Part 12A was inserted by [S.I. 2020/412](#). There are other amendments but none is relevant.

(20) [S.I. 2015/1862](#), to which there are no relevant amendments.

Amendment of the National Health Service (Personal Medical Services Agreements) Regulations 2015

21. In regulation 82 (co-operation with the Secretary of State and Health Education England) of the National Health Service (Personal Medical Services Agreements) Regulations 2015(21), in each place it occurs, including in the heading, for “Health Education England” substitute “NHS England”.

Amendment of the Trade Union (Facility Time Publication Requirements) Regulations 2017

22. In Schedule 1 (public authorities) to the Trade Union (Facility Time Publication Requirements) Regulations 2017(22), in Part 5 (other bodies), omit paragraph 106.

Amendment of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

23. In Schedule 2 (public authorities required to publish information) to the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017(23), under the heading “Health, social care and social security”, omit “Health Education England”.

Amendment of the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018

24. In the Schedule (relevant persons and relevant functions) to the Higher Education and Research Act 2017 (Cooperation and Information Sharing) Regulations 2018(24), in the entry relating to Health Education England—

- (a) in the column entitled “relevant person”, for “Health Education England” substitute “NHS England”;
- (b) in the column entitled “relevant function”, for “Its functions under the Care Act 2014” substitute “Its education and training functions conferred by or under Chapter 1 of Part 3 of the Care Act 2014”.

Amendment of the National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018

25. In regulation 4 (eligible bodies) of the National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018(25), omit paragraph (1)(g).

Amendment of the National Health Service (Property Expenses Scheme) (England) Regulations 2018

26.—(1) The National Health Service (Property Expenses Scheme) (England) Regulations 2018(26) are amended as follows.

- (2) In regulation 4 (eligible bodies), omit paragraph (1)(g).
- (3) After regulation 19 (provision that is consequential on the transfer of functions from the Health and Social Care Information Centre to NHS England), insert—

(21) S.I. 2015/1879, to which there are no relevant amendments.

(22) S.I. 2017/328, to which there are no relevant amendments.

(23) S.I. 2017/353, to which there are no relevant amendments.

(24) S.I. 2018/607.

(25) S.I. 2018/756, to which there are no relevant amendments.

(26) S.I. 2018/757, as amended by S.I. 2023/98; there are other amendments but none is relevant.

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“Provision that is consequential on the transfer of functions from Health Education England to NHS England

20. An expense of Health Education England which—

- (a) arose before 1st April 2023, and
- (b) is an expense of the kind which may be claimed by a member under the Scheme,

may be claimed on or after that date by NHS England.”.

Amendment of the Scottish Parliament (Disqualification) Order 2020

27. In Part 1 of the Schedule (office-holders disqualified from being a member of the Scottish Parliament) to the Scottish Parliament (Disqualification) Order 2020⁽²⁷⁾, omit “Any member of Health Education England.”.

⁽²⁷⁾ [S.S.I. 2020/321](#), to which there are no relevant amendments.