

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Savings is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 15

PART 7: CONSEQUENTIAL AMENDMENTS AND SAVINGS

PART 4

THE OFFICE OF THE HEALTH PROFESSIONS ADJUDICATOR

Savings

- 76 (1) If abolition is to occur at a time other than immediately after the end of a financial year within the meaning of paragraphs 19 and 20 of Schedule 6 to the Health and Social Care Act 2008 (annual reports), the period that begins with the 1 April before abolition and ends with abolition is to be treated as a financial year for the purposes of those paragraphs.
- (2) Despite section 231(2), paragraphs 19 and 20 of that Schedule are to continue to have effect for the purpose of imposing the duties under paragraphs 19(2), (3)(b) and (4) to (6) and 20(1), (2)(b) and (3) and for the purpose of conferring the power under paragraph 20(4); and for those purposes—
- (a) the duties under paragraphs 19(2) and 20(1), in so far as they have not been discharged by the OHPA, must be discharged by the Secretary of State,
 - (b) the duties under paragraphs 19(3)(b) and (4) and 20(2)(b) must be discharged by the Secretary of State, and
 - (c) the power conferred by paragraph 20(4) may be exercised by giving directions of the description in question to the Secretary of State.
- (3) Subject to that, anything which the OHPA is required to do under an enactment before abolition may, in so far as it has not been done by the OHPA, be done by the Secretary of State after abolition.

Commencement Information

I1 Sch. 15 para. 76 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

- 77 A reference in any document to the OHPA is, so far as necessary or appropriate in consequence of section 231(1), to be read after abolition as a reference to the Secretary of State.

Commencement Information

I2 Sch. 15 para. 77 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

- 78 In paragraphs 76 and 77—

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“abolition” means the commencement of section 231(1);
“enactment” includes an enactment contained in subordinate legislation
(within the meaning of the Interpretation Act 1978);
“the OHPA” means the Office of the Health Professions Adjudicator.

Commencement Information

I3 Sch. 15 para. 78 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)