

SCHEDULES

SCHEDULE 4

AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

PART 2

NHS BODIES

- 13 In section 28 (special health authorities), omit subsection (6).
- 14 In section 29 (exercise of Special Health Authority functions), in subsection (2)(a)
—
(a) omit “, section 14”, and
(b) omit “, section 19”.
- 15 Omit Chapter 5B of Part 2 (trust special administrators: Primary Care Trusts).
- 16 In section 67 (effect of intervention orders), in subsection (1)—
(a) in paragraph (a)—
(i) omit “Strategic Health Authority,” and
(ii) omit “Primary Care Trust,” and
(b) in paragraph (b)—
(i) omit “Strategic Health Authority,” and
(ii) omit “Primary Care Trust,”.
- 17 In section 70 (transfer of residual liabilities)—
(a) in subsection (1)—
(i) omit “a Strategic Health Authority,”, and
(ii) omit “a Primary Care Trust,”, and
(b) in the heading, at the end insert “of certain health service bodies”.
- 18 (1) Section 71 (schemes for meeting losses and liabilities in respect of certain health service bodies) is amended as follows.
- (2) In subsection (2)—
(a) after “are—” insert—
“(za) the Board,
(zb) clinical commissioning groups,”
(b) omit paragraph (a),
(c) omit paragraph (b),
(d) after paragraph (h) (and before the “and” immediately following it) insert—
“(ha) a company formed under section 223 and wholly or partly owned by the Secretary of State or the Board,
(hb) a subsidiary of a company which is formed under that section and wholly owned by the Secretary of State,”, and”

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- (e) in paragraph (i)—
 - (i) for “paragraphs (a) to (h)”, in the first place where it occurs, substitute “paragraphs (za) to (hb)”, and
 - (ii) for “paragraphs (a) to (h)”, in the second place where it occurs, substitute “paragraphs (za) to (h)”.
- (3) In subsection (2A)—
 - (a) after paragraph (a) insert—
 - “(ab) in relation to a company within paragraph (ha) or (hb) of subsection (2), means the company’s activities in providing facilities or services to any person or body;”, and
 - (b) in paragraph (b) for “paragraphs (a) to (h)” substitute “paragraphs (za) to (h)”.
- (4) In subsection (3)(a)—
 - (a) after “the Secretary of State” insert “or the Board”,
 - (b) omit “Strategic Health Authority;”, and
 - (c) omit “Primary Care Trust;”.
- (5) In subsection (5), for “(a) to (d),” substitute “(c), (d),”.
- (6) In subsection (6)—
 - (a) after “the Secretary of State,” insert “the Board or”,
 - (b) omit “Strategic Health Authority,” and
 - (c) omit “Primary Care Trust;”.
- 19 In section 73 (directions and regulations), in subsection (1) omit paragraphs (c) to (f).
- 20 Omit Schedule 2.
- 21 Omit Schedule 3.
- 22 (1) Schedule 4 (NHS trusts) is amended as follows.
 - (2) In paragraph (5)(1)(f), omit “Primary Care Trusts;”.
 - (3) In paragraph 6—
 - (a) in sub-paragraph (1) —
 - (i) omit “Strategic Health Authority,” and
 - (ii) omit “, Primary Care Trust”, and
 - (b) in sub-paragraph (2) —
 - (i) omit “Strategic Health Authority,” and
 - (ii) omit “, Primary Care Trust”.
 - (4) In paragraph 7(3), omit “Strategic Health Authority;”.
 - (5) In paragraph 8—
 - (a) in sub-paragraph (1), omit “, Primary Care Trust” (in each place where it occurs), and
 - (b) in sub-paragraph (4), omit “, Primary Care Trust”,
 - (c) in sub-paragraph (5), omit “, Primary Care Trust” (in each place where it occurs),
 - (d) in sub-paragraph (6)(b), omit “, Primary Care Trust”, and

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- (e) in sub-paragraph (9)(b), omit “, Primary Care Trust”.
- (6) In paragraph 9—
 - (a) in sub-paragraph (1)—
 - (i) omit “a Strategic Health Authority,”, and
 - (ii) omit “a Primary Care Trust,”,
 - (b) in sub-paragraph (3)—
 - (i) omit “Strategic Health Authority,”, and
 - (ii) omit “Primary Care Trust,”,
 - (c) in sub-paragraph (6)—
 - (i) omit “a Strategic Health Authority,”, and
 - (ii) omit “, a Primary Care Trust,”,
 - (d) in sub-paragraph (7)—
 - (i) in paragraph (a), omit “Strategic Health Authority,”,
 - (ii) in that paragraph omit “or belong to a Primary Care Trust”, and
 - (iii) in the words following paragraph (b)—
 - (a) omit “Strategic Health Authority,”, and
 - (b) omit “Primary Care Trust,”.
- (7) In paragraph 15, omit sub-paragraphs (2) and (3).
- (8) In paragraph 18—
 - (a) omit “Strategic Health Authority,” and
 - (b) omit “Primary Care Trust,”.
- (9) In paragraph 29, in sub-paragraph (3) omit “Strategic Health Authority,”.
- (10) In paragraph 30, in sub-paragraph (1)—
 - (a) omit “Strategic Health Authority,” and
 - (b) omit “Primary Care Trust,”.
- 23 (1) Schedule 6 (special health authorities established under section 28) is amended as follows.
 - (2) In paragraph 3(8)—
 - (a) for “to a Strategic Health Authority” substitute “to the Board”, and
 - (b) for “a Strategic Health Authority” substitute “the Board”.
 - (3) In paragraph 3(12)—
 - (a) in paragraph (a) for “of a Strategic Health Authority” substitute “of the Board”, and
 - (b) in paragraph (b) omit “or by a Strategic Health Authority”.
 - (4) In paragraph 13 for “a Strategic Health Authority” substitute “the Board”.