

2002 No. 3190 (C. 108)

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

**The National Health Service Reform and Health Care
Professions Act 2002 (Commencement No. 3) Order 2002**

Made - - - - - 18th December 2002

The Secretary of State for Health, in exercise of the powers conferred upon him by section 42(3) of the National Health Service Reform and Health Care Professions Act 2002^(a) and all other powers enabling him in that behalf, hereby makes the following Order:

Citation, interpretation and application

1.—(1) This Order may be cited as the National Health Service Reform and Health Care Professions Act 2002 (Commencement No. 3) Order 2002.

(2) This Order applies to England only, apart from article 2(2)(d) which applies to England and Wales.

Appointed day

2.—(1) 1st January 2003 is the day appointed for the coming into force of the provisions of the National Health Service Reform and Health Care Professions Act 2002 specified in paragraph (2).

(2) The provisions referred to in paragraph (1) are—

- (a) section 20 and Schedule 6 (The Commission for Patient and Public Involvement in Health);
- (b) section 21 (overview and scrutiny committees);
- (c) paragraph 2 of Schedule 8 (minor and consequential amendments) and, in so far as they relate to that paragraph, paragraph 1 of that Schedule and section 37(1);
- (d) section 37(2) and Schedule 9 (repeals) in so far as they relate to the repeal in Part 3 of that Schedule of paragraphs 71(3), 73 and 75 of Schedule 2 to the National Health Service (Primary Care) Act 1997^(b).

Signed by authority of the Secretary of State for Health

18th December 2002

David Lammy
Parliamentary Under Secretary of State
Department of Health

(a) 2002 c. 17. See section 42(4) for the definition of “appropriate authority”.
(b) 1997 c. 46.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the third commencement order made by the Secretary of State under the National Health Service Reform and Health Care Professions Act 2002 (“the Act”). One order has also been made by the National Assembly for Wales.

Article 2 brings into force on 1st January 2003:

- (a) section 20 of and Schedule 6 to the Act which are concerned with the establishment for England of the Commission for Patient and Public Involvement in Health;
- (b) section 21 of the Act which extends the regulation-making power in respect of overview and scrutiny committees contained in section 7 of the Health and Social Care Act 2001;
- (c) an amendment to section 29 of the National Health Service Act 1977 (arrangements and regulations for general medical services) to change the reference to interim suspension of a medical practitioner under the Medical Act 1983; and
- (d) repeals of three pre-consolidation amendments in Schedule 2 to the National Health Service (Primary Care) Act 1997.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	2nd September 2002	2002/2202
(remainder)	1st October 2002	2002/2478
Section 2 (partially)	2nd September 2002	2002/2202
(remainder)	1st October 2002	2002/2478
Section 3(1) (partially)	2nd September 2002	2002/2202
(partially)	1st October 2002	2002/2478
Section 3(2)	2nd September 2002	2002/2202
Section 3(3) (partially)	2nd September 2002	2002/2202
(remainder)	1st October 2002	2002/2478
Section 3(4)	1st October 2002	2002/2478
Section 3(5)(a) and (b)	2nd September 2002	2002/2202
Sections 4 and 5	1st October 2002	2002/2478
Section 6	10th October 2002	2002/2532
Sections 7 and 8	1st October 2002	2002/2478
Section 9	10th October 2002	2002/2532
Section 10 as to England	1st October 2002	2002/2478
as to Wales	10th October 2002	2002/2532
Section 23 as to Wales	10th October 2002	2002/2532
Section 24	10th October 2002	2002/2532
Section 25 (partially)	27th August 2002	2002/2202
Section 25 (partially)	1st December 2002	2002/2202
Section 25 (remainder)*	1st April 2003	2002/2202
Section 26*	1st April 2003	2002/2202
Section 27*	1st April 2003	2002/2202
Section 29*	1st April 2003	2002/2202
Section 35	1st October 2002	2002/2478
Schedule 1, paragraphs 1 (partially), 3,4,6,7 and 19	2nd September 2002	2002/2202
Schedule 1 (remainder)	1st October 2002	2002/2478
Schedule 2, paragraphs 31 and 32	2nd September 2002	2002/2202
Schedule 2, remainder apart from paragraphs 16(6) and 17(4) and (5) and paragraph 1 in so far as it relates to those paragraphs	1st October 2002	2002/2478
Schedule 3	1st October 2002	2002/2478
Schedule 7, paragraphs 4-6, 22 and 23	27th August 2002	2002/2202
Schedule 7, paragraphs 1-3, 7-15, 16(1) and (2), 17-21 and 24	1st December 2002	2002/2202
Schedule 7 (remainder)*	1st April 2003	2002/2202
Schedule 8 (and section 37(1) in so far as it relates to the paragraphs specified below)		
Paragraphs 1 (partially), 4 to 7, 12, 18, 20, 21, 22 (partially), 23 to 27, 28 (partially), 29 and 31 to 37.	1st October 2002	2002/2478
Paragraphs 1 (partially), 3, 8, 9 and 22 (remainder) as to England.	1st October 2002	2002/2478
Paragraphs 1 (partially), 2, 3, 8, 9 and 22 (remainder) as to Wales.	10th October 2002	2002/2532
Schedule 9 (partially)	1st October 2002	2002/2478
(partially as to England)	1st October 2002	2002/2478
(partially as to Wales)	10th October 2002	2002/2532

Note: the date for commencement of those provisions marked with an asterisk has not yet been reached.

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