

**Changes to legislation:** There are currently no known outstanding effects for the The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions (Commonhold Land) Order 2018, PART 1. (See end of Document for details)

## SCHEDULE

### CONSEQUENTIAL AMENDMENTS

#### PART 1

##### Amendments to primary legislation

###### **Transport Act 1962 (c. 46)**

1. In section 86(6A) of the Transport Act 1962(1), for “Communities and Local Government” substitute “Housing, Communities and Local Government”.

###### **Commencement Information**

**I1** Sch. para. 1 in force at 11.4.2018, see [art. 1\(2\)](#)

###### **Parliamentary Commissioner Act 1967 (c. 13)**

2. In Schedule 2 to the Parliamentary Commissioner Act 1967(2)—
- (a) omit “Department for Communities and Local Government.”,
  - (b) in the entry for the Department of Health after “Health” insert “and Social Care”, and
  - (c) at the appropriate place insert “Ministry of Housing, Communities and Local Government”.

###### **Commencement Information**

**I2** Sch. para. 2 in force at 11.4.2018, see [art. 1\(2\)](#)

###### **Abortion Act 1967 (c. 87)**

3. In section 2(2) of the Abortion Act 1967(3), after “Health” insert “and Social Care”.

###### **Commencement Information**

**I3** Sch. para. 3 in force at 11.4.2018, see [art. 1\(2\)](#)

###### **Food Act 1984 (c. 30)**

4. In section 135(2)(a)(ii) of the Food Act 1984(4), after “Health” insert “and Social Care”.

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- (1) Section 86(6A) was inserted by [S.I. 1970/1681](#) and amended by [S.I. 1976/1775](#), [1997/2971](#), [2001/2568](#), [2002/2626](#) and [2006/1926](#).
- (2) Schedule 2 was substituted by [S.I. 2011/2986](#). Other amendments have been made to Schedule 2 which are not relevant to this Order.
- (3) Section 2(2) was amended by [S.I. 1969/388](#) and by [S.I. 1988/1843](#). Other amendments have been made to section 2(2) which are not relevant to this Order.
- (4) In section 135(2)(a)(ii) the reference to the Secretary of State for Health was inserted by [S.I. 1988/1843](#).

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**I4** Sch. para. 4 in force at 11.4.2018, see [art. 1\(2\)](#)

**Town and Country Planning Act 1990 (c. 8)**

**5.**—(1) The Town and Country Planning Act 1990 is amended as follows.

(2) In section 228(**5**), in subsections (1) and (7) and in the heading for “Communities and Local Government” substitute “Housing, Communities and Local Government”.

(3) In the following provisions, for “Communities and Local Government” substitute “Housing, Communities and Local Government”—

(a) section 245(1)(b)(**6**);

(b) section 265(1)(d)(**7**).

(4) In paragraph 8(2) of Schedule 6(**8**), for “the Department for Communities and Local Government” substitute “the Ministry of Housing, Communities and Local Government”.

**Commencement Information**

**I5** Sch. para. 5 in force at 11.4.2018, see [art. 1\(2\)](#)

**Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)**

**6.** In paragraph 7(2) of Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990(**9**), for “the Department for Communities and Local Government” substitute “the Ministry of Housing, Communities and Local Government”.

**Commencement Information**

**I6** Sch. para. 6 in force at 11.4.2018, see [art. 1\(2\)](#)

**Planning (Hazardous Substances) Act 1990 (c. 10)**

**7.** In paragraph 7(2) of the Schedule to the Planning (Hazardous Substances) Act 1990(**10**), for “the Department for Communities and Local Government” substitute “the Ministry of Housing, Communities and Local Government”.

**Commencement Information**

**I7** Sch. para. 7 in force at 11.4.2018, see [art. 1\(2\)](#)

(5) Section 228 was amended by [S.I. 1997/2971](#), [2001/2568](#), [2002/2626](#) and [2006/1926](#).

(6) Section 245(1)(b) was amended by [S.I. 1997/2971](#), [2001/2568](#), [2002/2626](#) and [2006/1926](#).

(7) In section 265(1), paragraph (a) was repealed and paragraph (d) amended by [S.I. 1997/2971](#); paragraph (d) was further amended by [S.I. 2001/2568](#); paragraph (a) was inserted and paragraph (d) substituted by [S.I. 2002/2626](#), and paragraph (d) was further substituted by [S.I. 2006/1926](#).

(8) Paragraph 8(2) was amended by [S.I. 1997/2971](#), [2001/2568](#), [2002/2626](#) and [2006/1926](#).

(9) Paragraph 7(2) was amended by [S.I. 1997/2971](#), [2001/2568](#), [2002/2626](#) and [2006/1926](#).

(10) Paragraph 7(2) was amended by [S.I. 1997/2971](#), [2001/2568](#), [2002/2626](#), and [2006/1926](#).

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### Transport and Works Act 1992 (c. 42)

8. In section 23(10) of the Transport and Works Act 1992(11), for “the Department for Communities and Local Government” in both places substitute “the Ministry of Housing, Communities and Local Government”.

#### Commencement Information

**I8** Sch. para. 8 in force at 11.4.2018, see [art. 1\(2\)](#)

### Regulation of Investigatory Powers Act 2000 (c. 23)

9. In Part 1 of Schedule 1 to the Regulation of Investigatory Powers Act 2000(12)—

(a) for paragraph 9A substitute—

“9A. The Ministry of Housing, Communities and Local Government.”, and

(b) in paragraph 12 after “Health” insert “and Social Care”.

#### Commencement Information

**I9** Sch. para. 9 in force at 11.4.2018, see [art. 1\(2\)](#)

### Commonhold and Leasehold Reform Act 2002 (c. 15)

10. In the following provisions of the Commonhold and Leasehold Reform Act 2002, for “Lord Chancellor” in each place substitute “Secretary of State”—

(a) section 42(2) (power to approve ombudsmen schemes);

(b) section 62(1) and (2) (power to give financial assistance in relation to advice etc)(13);

(c) section 64(2) (making of regulations under Part 1 of the Act).

#### Commencement Information

**I10** Sch. para. 10 in force at 11.4.2018, see [art. 1\(2\)](#)

### Enterprise Act 2002 (c. 40)

11. In section 213(5A)(d) of the Enterprise Act 2002(14), after “Health” insert “and Social Care”.

#### Commencement Information

**I11** Sch. para. 11 in force at 11.4.2018, see [art. 1\(2\)](#)

(11) Section 23(10) was amended and paragraph (a) substituted by [S.I. 1997/2971](#); section 23(10) was further amended by [S.I. 2001/2568](#), [2002/2626](#) and [2006/1926](#).

(12) Schedule 1 was amended by [S.I. 2007/3224](#), [2009/229](#) and [2009/2748](#). Paragraph 9A was inserted by [S.I. 2006/1926](#). Other amendments have been made to Schedule 1 which are not relevant to this Order.

(13) Section 62(1) was amended by section 319(1) of the Housing and Regeneration Act 2008.

(14) Section 213(5A) was inserted by [S.I. 2006/3363](#). Other amendments have been made to section 213(5A) which are not relevant to this Order.

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### **Domestic Violence, Crime and Victims Act 2004 (c. 28)**

**12.** In Schedule 9 to the Domestic Violence, Crime and Victims Act 2004 (authorities within Commissioner’s remit)—

- (a) omit paragraph 1ZA(15),
- (b) in paragraph 3 after “Health” insert “and Social Care”, and
- (c) after paragraph 8A insert—

“**8B.** The Ministry of Housing, Communities and Local Government.”

#### **Commencement Information**

**I12** Sch. para. 12 in force at 11.4.2018, see [art. 1\(2\)](#)

### **Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)**

**13.** In Schedule 1 to the Corporate Manslaughter and Corporate Homicide Act 2007—

- (a) omit “Department for Communities and Local Government”,
- (b) at the end of the entry for the Department of Health insert “and Social Care”, and
- (c) at the appropriate place insert “Ministry of Housing, Communities and Local Government”.

#### **Commencement Information**

**I13** Sch. para. 13 in force at 11.4.2018, see [art. 1\(2\)](#)

### **Crossrail Act 2008 (c. 18)**

**14.** In the following provisions of the Crossrail Act 2008, for “Communities and Local Government” substitute “Housing, Communities and Local Government”—

- (a) section 12(6) (in the definition of “appropriate Ministers”);
- (b) section 54(5);
- (c) paragraph 2(8) of Schedule 5 (in the definition of “appropriate Ministers”);
- (d) paragraph 37(2) of Schedule 7.

#### **Commencement Information**

**I14** Sch. para. 14 in force at 11.4.2018, see [art. 1\(2\)](#)

### **Coroners and Justice Act 2009 (c. 25)**

**15.** In the following provisions of the Coroners and Justice Act 2009, after “Health” insert “and Social Care”—

- (a) section 18(2)(a);
- (b) section 20(1)(n).

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(15) Paragraph 1ZA was inserted by [S.I. 2006/1926](#).

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**I15** Sch. para. 15 in force at 11.4.2018, see [art. 1\(2\)](#)

**Care Act 2014 (c. 23)**

**16.** In section 111(1)(d) of the Care Act 2014, after “Health” insert “and Social Care”.

**Commencement Information**

**I16** Sch. para. 16 in force at 11.4.2018, see [art. 1\(2\)](#)

**Investigatory Powers Act 2016 (c. 25)**

**17.** In Schedule 4 to the Investigatory Powers Act 2016, in column (1) of the table in Part 1, in the entry for the Department of Health after “Health” insert “and Social Care”.

**Commencement Information**

**I17** Sch. para. 17 in force at 11.4.2018, see [art. 1\(2\)](#)

**High Speed Rail (London – West Midlands) Act 2017 (c. 7)**

**18.** In the following provisions of the High Speed Rail (London – West Midlands) Act 2017, for “Communities and Local Government” substitute “Housing, Communities and Local Government”—

- (a) section 64(5);
- (b) paragraph 5(9) of Schedule 16 (in the definition of “appropriate Ministers”);
- (c) paragraph 30 of Schedule 17 (in the definition of “appropriate Ministers”).

**Commencement Information**

**I18** Sch. para. 18 in force at 11.4.2018, see [art. 1\(2\)](#)

**Digital Economy Act 2017 (c. 30)**

**19.** In the following provisions of the Digital Economy Act 2017, for “Communities and Local Government” substitute “Housing, Communities and Local Government”—

- (a) paragraph 8 of Schedule 4;
- (b) paragraph 3 of Schedule 5;
- (c) paragraph 2 of Schedule 6;
- (d) paragraph 9 of Schedule 8.

**Commencement Information**

**I19** Sch. para. 19 in force at 11.4.2018, see [art. 1\(2\)](#)

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