

Memorandum for the House of Lords Statutory Instruments Merits Committee

1. Title of the Instrument

The Health and Social Care Act 2001 (Isles of Scilly) Order 2004 No.1425

Laying Authority and Purpose

This explanatory memorandum is laid before Parliament by Command of Her Majesty.

Department responsible

Department of Health

2. Description

This Order gives the function to review and scrutinise health services to the Council of the Isles of Scilly.

3. Matters of special interest to the Joint Committee on Statutory Instruments/Select Committee on Statutory Instruments

Not applicable

4. Legislative Background

Under the Local Government Act 2000 (LGA 2000) local authorities must appoint overview and scrutiny committees. A related Local Government Order, the Isles of Scilly (Functions) (Review and Scrutiny of Health Services) Order 2004, will extend this requirement to the Council of the Isles of Scilly. The function of committees of overview and scrutiny of health services was added by the Health and Social Care Act 2001. It relates only to those local authorities listed in that Act and does not currently extend to the Council of the Isles of Scilly. Extension of the legislation to the Council of the Isles of Scilly may be done by Order. Without this Order the Council of the Isles of Scilly may not review and scrutinise health services.

The related Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Amendment Regulations 2004 will amend existing Regulations which make provision about how local authorities exercise of the health scrutiny function to include the Council of the Isles of Scilly.

5. Extent

This Order applies to England only.

6. European Convention on Human Rights

Not applicable.

7. Policy background

The Government has given the function to review and scrutinise health services to the overview and scrutiny committees of local authorities. The Health and Social Care Act 2001 conferred this function to those committees by amending the LGA 2000.

This order and a related Order and Regulations give the same function to review and scrutinise health services to the Isles of Scilly as all other overview and scrutiny committees with that function.

8. Impact

There is no impact on business, charities or voluntary bodies; nor on the Exchequer.

9. Contact

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