2001 No. 713

NATIONAL HEALTH SERVICE, ENGLAND

The National Treatment Agency (Establishment and Constitution) Order 2001

Made - - - - -	*6th March 2001*
Laid before Parliament	*8th March 2001*
Coming into force - -	*1st April 2001*

The Secretary of State for Health in exercise of the powers conferred upon him by sections 11(1), (2) and (4) of, and paragraph 9(7)(b) of Schedule 5 to, the National Health Service Act 1977(**a**) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the National Treatment Agency (Establishment and Constitution) Order 2001 and shall come into force on 1st April 2001.

(1) In this Order "the Agency" means the National Treatment Agency established by this Order.

(2) This Order extends to England only.

Establishment of the Agency

There is hereby established a Special Health Authority which shall be known as the National Treatment Agency.

Functions of the Agency

Subject to and in accordance with such directions as the Secretary of State may give(**b**), the Agency shall perform—

(a) such functions in connection with the treatment of drug misusers, and

(b) such other functions,

as the Secretary of State may direct.

(**a**) 1977 c. 49; section 11 was amended by paragraph 31 of Schedule 1 to the Health Services Act 1980 (c. 53), by Schedule 10 to the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act"), by paragraph 2 of Schedule 1 to the Health Authorities Act 1995 (c. 17) ("the 1995 Act") and by paragraph 6 of Schedule 4 to the Health Act 1999 (c. 8) ("the 1999 Act"); sub-paragraph (7) was inserted in paragraph 9 of Schedule 5 by paragraph 7(2) of Schedule 1 to the 1990 Act and was amended by paragraph 60(b) of Schedule 1 to the 1995 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(**b**) See, in particular, sections 16D, 17 and 18 of the National Health Service Act 1977 (c. 49); sections 16D and 17 were inserted by section 12(1) of the 1999 Act. Section 18 was amended by Schedule 10 to the 1990 Act, by section 3(8) of the 1995 Act, by paragraph 9 of Schedule 1 to the 1995 Act and by section 12(3) of the 1999 Act.

Constitution of the Agency

The Agency shall consist of—

(a) a chairman,

(b) not less than 3 and not more than 8 members who are not officers of the Agency,

(c) the person who for the time being holds the office of Chief Executive of the Agency, and

(d) not less than 2 and not more than 3 members who are officers of the Agency.

Remuneration of members

The Agency is hereby specified for the purposes of paragraph 9(7)(b) of Schedule 5 to the National Health Service Act 1977 (definition of "relevant authority" for the purposes of paying remuneration to members of Health Authorities and certain Special Health Authorities).

Public Meetings

The Public Bodies (Admission to Meetings) Act 1960**(a)** shall apply to the Agency.

Signed by authority of the Secretary of State for Health

Gisela Stuart
Parliamentary Under-Secretary of State,
Department of Health

6th March 2001

(a) 1960 c. 67.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the establishment and constitution of a Special Health Authority, to be known as the National Treatment Agency ("the Agency"), to exercise on behalf of the Secretary of State such functions in connection with the treatment of drug misusers and such other functions as he may direct it to perform.

Article 2 of the Order establishes the Agency, the functions of which are described in article 3 and are to be specified more particularly in directions given by the Secretary of State. Provision is also made for the constitution of the Agency (article 4), for the remuneration of members of the Agency (article 5) and for the admission of the public to meetings (article 6).

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