

**2004 No. 20**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The Health Development Agency Amendment Regulations 2004**

*Made* - - - - *8th January 2004*

*Laid before Parliament* *14th January 2004*

*Coming into force* - - *1st March 2004*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 126(3) and (4) of, and paragraphs 10 and 12 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 Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Health Development Agency Amendment Regulations 2004 and shall come into force on 1st March 2004.

**Amendment of Regulations**

2. In regulation 3(1)(d) of the Health Development Agency Regulations 1999(b) (disqualification for appointment), after “Health Education Authority” insert “, the NHSU, the NHS Professionals Special Health Authority”(c).

Signed by authority of the Secretary of State for Health

8th January 2004

*John Hutton*  
Minister of State,  
Department of Health

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(a) 1977 c.49; section 126(3) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”) and section 41(1) of, and paragraph 27 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c.46); section 126(4) was amended by section 65(2) of the 1990 Act, section 65(1) of, and paragraphs 4 and 37(1) and (6) of Schedule 4 to, the Health Act 1999 (c.8) (“the 1999 Act”), section 67(1) of, and paragraph 5(1) and (13)(b) of Schedule 5 to, the Health and Social Care Act 2001 (c.15) (“the 2001 Act”) and sections 6(3)(c) and 37(1) of, and paragraphs 1 and 10(a) of Schedule 8 to, the National Health Service Reform and Health Care Professions Act 2002 (c.17); paragraph 10 of Schedule 5 was amended by sections 14 and 15 of, and paragraph 3 of Schedule 6 to, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 54(1) of, and paragraphs 8 and 10 of Schedule 5 to, the Dentists Act 1984 (c.24), sections 5 and 24 of, and paragraph 14 of Schedule 3 and Part 1 of Schedule 8 to, the Health and Social Security Act 1984 (c.48), article 7 of S.I. 1985/39, section 1 of, and paragraph 8 of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(c) of Schedule 1 and Schedule 3 to, the Health Authorities Act 1995 (c.17) (“the 1995 Act”), section 65 of, and paragraphs 4, 39(1) and (3) of Schedule 4 and Schedule 5 to, the 1999 Act and section 6 of the 2001 Act; paragraph 12 of Schedule 5 was amended by article 7 of S.I. 1985/39, section 1 of, and paragraph 9 of Schedule 1 to, the 1990 Act, sections 2(1) and 5(1) of, and paragraph 60(e) of Schedule 1 and Schedule 3 to, the 1995 Act and section 65(1) of, and paragraphs 4, 39(1) and (4) of Schedule 4 to, the 1999 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) S.I. 1999/3432.

(c) For the NHSU see S.I. 2003/2772 and S.I. 2003/2773. For the NHS Professionals Special Health Authority see S.I. 2003/3059 and S.I. 2003/3060.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Regulations amend regulation 3 of the Health Development Agency Regulations 1999. Regulation 3 makes provision for membership of the Agency, a Special Health Authority established under the National Health Service Act 1977. The amendment will provide that the chairman and vice-chairman of the NHSU or the NHS Professionals Special Health Authority, also Special Health Authorities established under the National Health Service Act 1977, are not disqualified for appointment as a chairman or member of the Health Development Agency.

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