

**2007 No. 1201**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The NHS Business Services Authority (Awdurdod Gwasanaethau  
Busnes y GIG) (Establishment and Constitution) Amendment Order  
2007**

<i>Made</i>	- - - -	<i>1st April 2007</i>
<i>Laid before Parliament</i>		<i>18th April 2007</i>
<i>Coming into force</i>	- -	<i>18th May 2007</i>

The Secretary of State for Health makes the following Order in exercise of the powers conferred by sections 28(1) and (2), 272(7) and 273(1) of the National Health Service Act 2006(a).

She has completed the consultation prescribed under section 28(7) of that Act.

**Citation, commencement, interpretation and application**

1.—(1) This Order may be cited as the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Amendment Order 2007 and shall come into force on 18th May 2007.

(2) In this Order, “the principal Order” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005(b).

(3) This Order applies in relation to England.

**Amendment of article 1 of the principal Order**

2. In article 1(2) of the principal Order (citation, commencement and interpretation), after the definition of “relevant primary dental services” insert—

““the Social Care Bursary Scheme” means the Social Care Bursary Scheme established pursuant to section 67(4)(a) of the Care Standards Act 2000(c);”.

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(a) 2006 c.41 (“the 2006 Act”). The 2006 Act, which consolidated certain enactments relating to the health service, came into force on 1 March 2007. The origins of section 28(1) and (2) of the 2006 Act were section 11(1) and (2) of the National Health Service Act 1977 (c.49) (“the 1977 Act”). The origins of section 272(7) and 273(1) of the 2006 Act were section 126(3) and (4) of the 1977 Act. The functions of the Secretary of State under these provisions in the 2006 Act are exercisable only in relation to England. The exercise of these functions in relation to Wales is exercisable by Welsh Ministers under section 22 of the National Health Service (Wales) Act 2006 (c.42) (“the 2006 Wales Act”). The references to and functions of “Welsh Ministers” in the 2006 Wales Act are treated at the date of the making of this Order as references to and functions of the National Assembly for Wales as constituted by the Government of Wales Act 1998 (c.38) in accordance with the modifications contained in section 5 of and paragraph 10 of Schedule 3 to the National Health Service (Consequential Provisions) Act 2006 (c.43).

(b) S.I. 2005/2414, amended by S.I. 2006/632.

(c) 2000 (c.14). Section 72 of the Health Act 2006 (c.28) inserted section 67A (amended by section 2 of, and schedule 1 to, the National Health Service (Consequential Provisions) Act 2006 (c.43)) into the 2000 Act, enabling the Secretary of State to direct a Special Health Authority to administer such of her functions under section 67(4)(a) of the 2000 Act in relation to the social care bursary scheme as she may specify.

### **Amendment of article 3 of the principal Order**

3. In article 3 of the principal Order (functions of the Authority)—
- (a) at the end of paragraph (a)(iv), omit the word “and”;
  - (b) in paragraph (a)(v), after the word “Scheme;” insert “and”; and
  - (c) after paragraph (a)(v), add—  
    “(vi) the Social Care Busary Scheme in England;”.

Signed by authority of the Secretary of State for Health

1st April 2007

*Rosie Winterton*  
Minister of State  
Department of Health

### **EXPLANATORY NOTE**

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

This Order amends the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2007.

Article 3 provides for the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (“the Authority”) to exercise functions in connection with the administration of the Social Care Bursary Scheme, in England, in accordance with directions given by the Secretary of State.

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