

*Status: Point in time view as at 28/06/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Health Authorities Act 1995, Part III. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### AMENDMENTS

##### Extent Information

- E1** [Sch. 1](#) does not extend to the Colonies; the amending/repealing provisions within Sch. 1 are co-extensive with the enactments they affect see [s.9\(2\)](#).

### PART III

#### AMENDMENTS OF OTHER ENACTMENTS

##### Extent Information

- E1** Part III does not extend to the Colonies.

##### *The Polish Resettlement Act 1947*

- 86 In section 4 of the <sup>M1</sup>Polish Resettlement Act 1947 (provision of health services), in subsection (1), for “Area Health Authorities District Health Authorities” substitute “Health Authorities”.

##### Marginal Citations

- M1** [1947 c. 19](#).

##### *The National Assistance Act 1948*

- 87 (1) The <sup>M2</sup>National Assistance Act 1948 shall be amended as follows.
- (2) In section 26 (provision of accommodation in premises maintained by voluntary organisations), in subsection (1C), for “District Health Authority” substitute “Health Authority”.
- (3) In the sixth Schedule (transitional provisions), omit paragraphs 7 to 9.

##### Marginal Citations

- M2** [1948 c. 29](#).

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*The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951*

- 88 In the second Schedule to the <sup>M3</sup>Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (paying authorities), in Part I, for paragraph 15 substitute—

“15. Officer of a Health Authority, a Special Health Authority or any other body constituted under the	The Health Authority, Special Health Authority or other body.
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<sup>M4</sup>  
National Health Service Act 1977 or the

<sup>M5</sup>  
National Health Service and  
Community Care Act 1990

15A. Officer of a Health Board, the Common Services Agency for the Scottish Health Service or any other body constituted under the	The Health Board, Agency or other body.”,
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<sup>M6</sup>  
National Health Service (Scotland) Act  
1978

and, in paragraph 16, for the entry in the second column substitute “ The Health Authority or Health Board for the area for which the services are provided. ”

**Marginal Citations**

**M3** 1951 c. 65.

**M4** 1990 c. 19.

**M5** 1977 c. 49.

**M6** 1978 c. 29.

*The Landlord and Tenant Act 1954*

- 89 In section 57 of the <sup>M7</sup>Landlord and Tenant Act 1954 (modification on grounds of public interest of rights under Part II of that Act), in subsection (6), for the words from “Regional” to “special health authority” substitute “ Health Authority or Special Health Authority ”.

**Marginal Citations**

**M7** 1954 c. 56.

*The Public Records Act 1958*

- 90 In the first Schedule to the <sup>M8</sup>Public Records Act 1958 (definition of public records), in the Table at the end of paragraph 3, in Part I, in the second column, at the end of the entry relating to health service hospitals insert—

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“records of trust property passing to a Health Authority or Special Health Authority by virtue of the Health Authorities Act 1995 or under section 92 of the

<sup>M9</sup>

National Health Service Act 1977 or held by a Health Authority under section 90 or 91 of that Act.”

**Marginal Citations**

**M8** 1958 c. 51.

**M9** 1977 c. 49.

*The Public Bodies (Admission to Meetings) Act 1960*

91 In the Schedule to the <sup>M10</sup>Public Bodies (Admission to Meetings) Act 1960 (bodies to which that Act applies), for paragraph 1(f) and (g) substitute—

“(f) Health Authorities, except as regards the exercise of functions under the <sup>M11</sup>National Health Service (Service Committees and Tribunal) Regulations 1992 or any regulations amending or replacing those Regulations;

(g) if the order establishing a Special Health Authority so provides, the Special Health Authority;”.

**Marginal Citations**

**M10** 1960 c. 67.

**M11** S.I. 1992/664.

*The Human Tissue Act 1961*

92 In section 1 of the Human Tissue Act 1961 (removal of parts of bodies for medical purposes), in subsection (10)(a), for “has the meaning given by section 128(1) of the National Health Service Act 1977” substitute “ means a Health Authority established under section 8 of the <sup>M12</sup>National Health Service Act 1977 or a Special Health Authority established under section 11 of that Act ”.

**Marginal Citations**

**M12** 1961 c. 54.

*The Parliamentary Commissioner Act 1967*

93 In Schedule 3 to the <sup>M13</sup>Parliamentary Commissioner Act 1967 (matters not subject to investigation), in paragraph 8—

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- (a) for the words from “Regional” to “special health authority” substitute “Health Authority, a Special Health Authority”, and
- (b) omit “a Family Practitioner Committee,”.

**Marginal Citations**

**M13** 1967 c. 13.

*The Leasehold Reform Act 1967*

- 94 In section 28 of the <sup>M14</sup>Leasehold Reform Act 1967 (retention or resumption of land required for public purposes)—
- (a) in subsection (5)(d), for the words from “Regional” to “special health authority” substitute “Health Authority, any Special Health Authority”, and
  - (b) in subsection (6), in the second sentence, in paragraph (c), for the words from “Regional” to “special health authority” substitute “Health Authority, Special Health Authority”.

**Marginal Citations**

**M14** 1967 c. 88.

*The Health Services and Public Health Act 1968*

- 95 (1) The <sup>M15</sup>Health Services and Public Health Act 1968 shall be amended as follows.
- (2) In section 63 (provision of instruction for officers of hospital authorities etc.)—
- (a) in subsection (1)(a), for the words from “Regional” to “special health authority” substitute “Health Authority or Special Health Authority or a Health Board”,
  - (b) in subsection (2)(b), for “a Family Practitioner Committee” substitute “a Health Authority”,
  - (c) after subsection (5) insert—
    - “(5A) The Secretary of State may by regulations provide for any functions exercisable by a Health Authority or Special Health Authority under or in relation to arrangements made under subsection (1) above to be exercisable by the Health Authority or Special Health Authority jointly with one or more other relevant health service bodies; and section 126 of the 1977 Act shall apply in relation to regulations made under this subsection as if this subsection were contained in that Act.
    - (5B) For the purposes of subsection (5A) above the following are relevant health service bodies—
      - (a) Health Authorities;
      - (b) Special Health Authorities; and
      - (c) NHS trusts.”, and
  - (d) after subsection (8) insert—

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“(8A) Expressions used in both this section and the 1977 Act have the same meaning in this section as in that Act.”

- (3) In section 64 (financial assistance to voluntary organisations), in subsection (3)(b), for “a Family Practitioner Committee is, by virtue of Part IV of the<sup>M16</sup>National Health Service Act 1946,” substitute “ a Health Authority are, by virtue of Part II of the<sup>M17</sup>National Health Service Act 1977, ”.

**Marginal Citations**

**M15** 1968 c. 46.

**M16** 1977 c. 49.

**M17** 1946 c. 81.

*The Post Office Act 1969*

- 96 In section 86 of the<sup>M18</sup>Post Office Act 1969 (interpretation of Part III of that Act), in subsection (1), in paragraph (a) of the definition of “national health service authority”, for the words from “Regional” to the end substitute “ Health Authority or a Special Health Authority; ”.

**Extent Information**

**E2** Sch. 1 para.96 does not extend to the Colonies.

**Marginal Citations**

**M18** 1969 c. 48.

*The Local Government Act 1972*

- 97 (1) The<sup>M19</sup>Local Government Act 1972 shall be amended as follows.
- (2) In section 113 (placing of staff of local authorities at disposal of other authorities), in subsection (1A), for—
- (a) “Regional Health Authority, Area Health Authority District Health Authority or special health authority”,
  - (b) “Regional Area or District Health Authority or special health authority”, and
  - (c) “Regional Area or District Health Authority or the special health authority”,
- substitute “ Health Authority, Special Health Authority ”.
- (3) In section 261 (remuneration of certain employees), in subsection (7), for the words from “the National” to “section 24” substitute “ section 44 of the<sup>M20</sup>National Health Service Reorganisation Act 1973 and section 24 ”.

**Marginal Citations**

**M19** 1972 c. 70.

**M20** 1973 c. 32.

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*The National Health Service Reorganisation Act 1973*

98 The <sup>M21</sup>National Health Service Reorganisation Act 1973 shall cease to have effect.

**Marginal Citations**

**M21** 1973 c. 32.

*The Health and Safety at Work etc. Act 1974*

99 In section 60 of the <sup>M22</sup>Health and Safety at Work etc. Act 1974 (employment medical advisory service: supplementary), in subsection (1), for “Area Health Authority and each District Health Authority arranges for one of its officers who is” substitute “ Health Authority arranges for ”.

**Marginal Citations**

**M22** 1974 c. 37.

*The House of Commons Disqualification Act 1975*

100 In Schedule 1 to the <sup>M23</sup>House of Commons Disqualification Act 1975 (offices disqualifying for membership of the House of Commons), in Part III, for the entry beginning “Chairman or any member, not being also an employee, of any Regional Health Authority” substitute— “ Chairman or any member, not being also an employee, of any Health Authority or Special Health Authority which is a relevant authority for the purposes of paragraph 9(1) of Schedule 5 to the <sup>M24</sup>National Health Service Act 1977. ”

**Marginal Citations**

**M23** 1975 c. 24.

**M24** 1977 c. 49.

*The Adoption Act 1976*

101 In section 2 of the <sup>M25</sup>Adoption Act 1976 (local authorities’ social services), for “health authorities” substitute “ Health Authorities, Special Health Authorities, ”.

**Marginal Citations**

**M25** 1976 c. 36.

*The National Health Service (Scotland) Act 1978*

102 (1) The <sup>M26</sup>National Health Service (Scotland) Act 1978 shall be amended as follows.

(2) In section 17A (NHS contracts), in subsection (2)—

(a) for paragraph (f) substitute—

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- “(f) Health Authorities established under section 8 of the <sup>M27</sup>National Health Service Act 1977;
- (ff) Special Health Authorities established under section 11 of the <sup>M28</sup>National Health Service Act 1977;”, and
- (b) omit paragraph (i).
- (3) In section 17B (reimbursement of Health Boards’ costs), in subsection (1), for “District or Special Health Authority” substitute “Health Authority or Special Health Authority”.
- (4) In section 87A (recognition of fund-holding practices of doctors), in subsection (4) (g), for “Family Health Services Authority established under section 10” substitute “Health Authority established under section 8”.
- (5) In section 87B (payments to recognised fund-holding practices), in subsection (3)—
- (a) in paragraph (b), for “region of a Regional Health Authority” substitute “area of a Health Authority”, and
- (b) for “the Authority” substitute “the Health Authority”.
- (6) In section 87D (indicative amounts for doctors’ practices), in subsection (7), for “Family Health Services Authority established under section 10” substitute “Health Authority established under section 8”.
- (7) In Schedule 7A (NHS trusts)—
- (a) in paragraph 6(2), at the end (but not as part of paragraph (f)) insert “and with any directions given to it under section 1(1A) of the <sup>M29</sup>Hospital Complaints Procedure Act 1985”, and
- (b) in paragraph 22(1)—
- (i) in paragraph (c), for “District Health Authority within the meaning” substitute “Health Authority established under section 8”, and
- (ii) for “or Authority” substitute “or Health Authority”.
- (8) In Schedule 15 (transitional provisions and savings), in paragraph 10(b)—
- (a) omit “94(b)”, and
- (b) for “135(a) to (c)” substitute “135(b) and (c)”.

**Marginal Citations**

**M26** 1978 c. 29.  
**M27** 1977 c. 49.  
**M28** 1977 c. 49.  
**M29** 1985 c. 42.

*The <sup>M30</sup>Employment Protection (Consolidation) Act 1978*

**Marginal Citations**

**M30** 1978 c. 44.

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103 (1) The Employment Protection (Consolidation) Act 1978 shall be amended as follows.

(2) In section 29 (time off for public duties)—

- (a) in subsection (1)(d), for the words from “Regional” to “Committee” substitute “ Health Authority or Special Health Authority ”, and
- (b) in subsection (2)(b), for the words preceding “ “Health Board”” substitute “ “Health Authority” means a Health Authority established under section 8 of the <sup>M31</sup>National Health Service Act 1977 and “Special Health Authority” means a Special Health Authority established under section 11 of that Act, and ”.

(3) In Schedule 13 (computation of period of employment)—

- (a) in paragraph 17(1) (provisions of Schedule to relate only to employment with the one employer unless any of paragraphs 17(2) to (5), 18 and 18A apply), for “and 18A” substitute “ to 18B ”, and
- (b) after paragraph 18A insert—

“18B(1) If a person employed in relevant employment by a health service employer is taken into relevant employment by another such employer, his period of employment at the time of the change of employer shall count as a period of employment with the second employer and the change shall not break the continuity of the period of employment.

(2) For the purposes of sub-paragraph (1) employment is relevant employment if it is employment of a description—

- (a) in which persons are engaged while undergoing professional training which involves their being employed successively by a number of different health service employers, and
- (b) which is specified in an order made by the Secretary of State.

(3) The following are health service employers for the purposes of this paragraph—

- (a) Health Authorities established under section 8 of the National Health Service Act 1977,
- (b) Special Health Authorities established under section 11 of that Act,
- (c) National Health Service trusts established under Part I of the <sup>M32</sup>National Health Service and Community Care Act 1990,
- (d) the Dental Practice Board, and
- (e) the Public Health Laboratory Service Board.”

#### Marginal Citations

M31 1977 c.49

M32 1990 c.19



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*The Nurses, Midwives and Health Visitors Act 1979*

- 104 In section 16 of the <sup>M33</sup>Nurses, Midwives and Health Visitors Act 1979 (local supervision of midwifery practice), in subsection (1), for paragraphs (a) and (b) substitute—  
“(a) in England and Wales, Health Authorities;”.

**Marginal Citations**

**M33** 1979 c.36

*The Overseas Development and Co-operation Act 1980*

- 105 In Schedule 1 to the <sup>M34</sup>Overseas Development and Co-operation Act 1980 (statutory bodies with powers under section 2(1) of that Act), in Part II, after “A Health Authority” insert—  
“A Special Health Authority”.

**Marginal Citations**

**M34** 1980 c.63.

*The Local Government Finance Act 1982*

- 106 In section 12 of the <sup>M35</sup>Local Government Finance Act 1982 (accounts subject to audit by Audit Commission), in subsection (3B)—  
(a) for “Family Health Services Authority” substitute “Health Authority”, and  
(b) for “Authority’s” substitute “Health Authority’s”.

**Marginal Citations**

**M35** 1982 c.32.

*The Mental Health Act 1983*

- 107 (1) The <sup>M36</sup>Mental Health Act 1983 shall be amended as follows.  
(2) In section 23 (discharge of patients)—  
(a) in subsection (3), for the words from “Regional” to the end substitute “, Health Authority or Special Health Authority, by that National Health Service trust, Health Authority or Special Health Authority. ”, and  
(b) in subsection (5)(a), for—  
(i) “a District or Special Health Authority”, and

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- (ii) “such an authority”,  
substitute “ a Health Authority or Special Health Authority ”.
- (3) In section 24 (visiting and examination of patients), in subsection (3)—
- (a) for “Regional Health Authority, District Health Authority National Health Service trust or special health authority” substitute “ Health Authority, Special Health Authority or National Health Service trust ”, and
  - (b) for “authority or trust” substitute “ Health Authority, Special Health Authority or National Health Service trust ”.
- (4) In section 32 (regulations), in subsection (3), for “Regional Health Authorities, District Health Authorities National Health Service trusts or special health authorities” substitute “ Health Authorities, Special Health Authorities or National Health Service trusts ”.
- (5) In section 39 (information as to hospitals)—
- (a) in subsection (1)—
    - (i) for “Regional Health Authority” (in both places) substitute “ Health Authority ”,
    - (ii) for “the region” substitute “ the area ”,
    - (iii) for “that Authority has” substitute “ that Health Authority have ”,
    - (iv) for “its region” substitute “ their area ”, and
    - (v) for “that Authority shall” substitute “ that Health Authority shall ”, and
  - (b) omit subsection (2).
- (6) In section 65 (Mental Health Review Tribunals), for subsection (1) substitute—
- “(1) There shall be tribunals, known as Mental Health Review Tribunals, for the purpose of dealing with applications and references by and in respect of patients under the provisions of this Act.
- (1A) There shall be—
- (a) one tribunal for each region of England, and
  - (b) one tribunal for Wales.
- (1B) The Secretary of State—
- (a) shall by order determine regions for the purpose of subsection (1A) (a) above; and
  - (b) may by order vary a region determined for that purpose;
- and the Secretary of State shall act under this subsection so as to secure that the regions together comprise the whole of England.
- (1C) Any order made under subsection (1B) above may make such transitional, consequential, incidental or supplemental provision as the Secretary of State considers appropriate.”
- (7) In section 79 (interpretation of Part V), after subsection (6) insert—
- “(7) In this Part of this Act any reference to the area of a tribunal is—
- (a) in relation to a tribunal for a region of England, a reference to that region; and
  - (b) in relation to the tribunal for Wales, a reference to Wales.”

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- (8) In section 117 (after-care)—
- (a) in subsection (2), for “District Health Authority” (in both places) substitute “ Health Authority ”, and
  - (b) in subsection (3), for the words from “section” to “for the area” substitute “ section “the Health Authority” means the Health Authority, and “the local social services authority” means the local social services authority, for the area ”.
- (9) In section 121 (Mental Health Act Commission)—
- (a) in subsection (1), for “special health authority” substitute “ Special Health Authority ”, and
  - (b) in subsection (11), for “health authorities” substitute “ Special Health Authorities ”.
- (10) In section 134 (correspondence of patients), in subsection (3)(e), for “health authority within the meaning of the <sup>M37</sup>National Health Service Act 1977” substitute “ Health Authority or Special Health Authority ”.
- (11) In section 139 (protection for acts done in pursuance of that Act), in subsection (4), for “health authority within the meaning of the National Health Service Act 1977” substitute “ Health Authority or Special Health Authority ”.
- (12) In section 140 (notification of hospitals having arrangements for reception of urgent cases)—
- (a) for “Regional Health Authority and in Wales every District Health Authority” substitute “ Health Authority ”,
  - (b) for “region or district, as the case may be, of the Authority” substitute “ Health Authority’s area ”, and
  - (c) for “to the Authority” substitute “ to the Health Authority ”.
- (13) In section 143 (regulations, orders and rules), in subsection (2), after “54A” insert “ or 65 ”.
- (14) In section 145 (interpretation), in subsection (1)—
- (a) after the definition of “approved social worker” insert—

““Health Authority” means a Health Authority established under section 8 of the <sup>M38</sup>National Health Service Act 1977;”
  - (b) in paragraph (a) of the definition of “the managers”, for “District Health Authority or special health authority” substitute “ Health Authority or Special Health Authority ”, and
  - (c) after the definition of “restriction order” insert—

““Special Health Authority” means a Special Health Authority established under section 11 of the National Health Service Act 1977;”.

**Marginal Citations**

**M36** 1983 c.20.

**M37** 1977 c.49.

**M38** 1977 c.49.

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*The Public Health (Control of Disease) Act 1984*

- 108 (1) The <sup>M39</sup>Public Health (Control of Disease) Act 1984 shall be amended as follows.
- (2) In section 1 (authorities administering that Act), in subsection (4), for paragraph (b) substitute—
- “(b) Health Authorities or Special Health Authorities,”.
- (3) In section 11 (cases of notifiable disease and food poisoning to be reported), in subsection (3)—
- (a) in paragraph (a), for “District Health Authority within whose district” substitute “ Health Authority within whose area ”, and
- (b) in paragraph (b)(ii)—
- (i) for “District Health Authority for the district” substitute “ Health Authority for the area ”, and
- (ii) for “that Authority is” substitute “ that Health Authority are ”.
- (4) In section 12 (fees for certificates under section 11), in subsection (1), for “District Health Authority” substitute “ Health Authority ”.
- (5) In section 13 (regulations for control of certain diseases), in subsection (4)(a), for the words from “Regional Health Authorities” to “special health authorities” substitute “ Health Authorities, Special Health Authorities or National Health Service trusts ”.
- (6) In section 37 (removal to hospital of person with notifiable disease), in subsection (1)—
- (a) in paragraph (c), for “District Health Authority” substitute “ Health Authority ”, and
- (b) in the words following that paragraph, for “District Health Authority in whose district” substitute “ Health Authority in whose area ”.
- (7) In section 39 (keeper of common lodging-house to notify case of infectious disease), in subsection (3), for “Area Health Authority within whose area, or the District Health Authority within whose district,” substitute “ Health Authority within whose area ”.
- (8) In section 41 (removal to hospital of inmate of common lodging-house with notifiable disease), in subsection (1)—
- (a) in paragraph (c), for “District Health Authority” substitute “ Health Authority ”, and
- (b) in the words following that paragraph, for “District Health Authority in whose district” substitute “ Health Authority in whose area ”.

**Marginal Citations**

M39 1984 c.22.

*The Hospital Complaints Procedure Act 1985*

- 109 (1) The <sup>M40</sup>Hospital Complaints Procedure Act 1985 shall be amended as follows.
- (2) In section 1 (hospital complaints procedure)—

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- (a) in subsection (1)—
    - (i) for “health authority” substitute “ Health Authority and Special Health Authority ”, and
    - (ii) for “authority or Board is” substitute “ Health Authority, Special Health Authority or Board are ”, and
  - (b) after that subsection insert—
    - “(1A) It shall also be the duty of the Secretary of State to give to each NHS trust which is responsible for the management of a hospital such directions as appear necessary for the purpose of securing that, as respects each hospital for the management of which that NHS trust is responsible—
      - (a) such arrangements are made for dealing with complaints made by or on behalf of persons who are or have been patients at that hospital; and
      - (b) such steps are taken for publicising the arrangements so made,as (in each case) are specified or described in the directions.”
- (3) Omit section 1A (NHS trust hospitals).

**Marginal Citations**

**M40** [1985 c.42](#)

*The Health Service Joint Consultative Committees (Access to Information) Act 1986*

- 110 In section 1 of the <sup>M41</sup>Health Service Joint Consultative Committees (Access to Information) Act 1986 (interpretation), in subsection (2), for “District Health Authority, Family Practitioner Committee” substitute “ Health Authority ”.

**Marginal Citations**

**M41** [1986 c.24.](#)

*The Disabled Persons (Services, Consultation and Representation) Act 1986*

- 111 (1) The <sup>M42</sup>Disabled Persons (Services, Consultation and Representation) Act 1986 shall be amended as follows.
- (2) In section 2 (rights of authorised representatives of disabled persons), in subsection (9), in the definition of “health authority”, for “has the meaning given by section 128(1) of the 1977 Act” substitute “ means a Health Authority or a Special Health Authority ”.
  - (3) In section 7 (persons discharged from hospital)—
    - (a) in subsection (1)(a), omit “district or”, and
    - (b) in subsection (9)—

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- (i) in the definition of “health authority”, for “District Health Authority” substitute “Health Authority”, and
  - (ii) in the definition of “the managers”, after “(other than a special hospital” and after “(other than a State hospital” insert “ or a hospital vested in a National Health Service trust ” and for “District Health Authority or special health authority” substitute “Health Authority or Special Health Authority ”.
- (4) In section 16 (interpretation), in subsection (1)—
- (a) after the definition of “guardian” insert—
 

““Health Authority” means a Health Authority established under section 8 of the 1977 Act;”, and
  - (b) after the definition of “services” insert—
 

““Special Health Authority” means a Special Health Authority established under section 11 of the 1977 Act;”.

**Marginal Citations**

**M42** 1986 c.33.

*The Education (No.2) Act 1986*

- 112 In section 7 of the <sup>M43</sup> Education (No.2) Act 1986 (appointment of representative governors in place of co-opted governors), in subsection (2)(a), for “District Health Authority” substitute “Health Authority”.

**Marginal Citations**

**M43** 1986 c.61.

*The AIDS (Control) Act 1987*

- 113 (1) The <sup>M44</sup> AIDS (Control) Act 1987 shall be amended as follows.
- (2) In section 1 (periodical reports on matters relating to AIDS and HIV)—
- (a) in subsection (1)—
    - (i) omit paragraph (a), and
    - (ii) in paragraph (b), for sub-paragraphs (i) and (ii) substitute—
 

“(i) each Health Authority in England and Wales;”
  - (b) for subsections (2) and (3) substitute—
 

“(2) Any report under this section—

    - (a) shall contain the information specified in the Schedule to this Act and such other relevant information as the Secretary of State may direct; and

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- (b) shall be published by the Health Authority, Health Board or NHS trust by which it is made.”,
- (c) in subsection (5)—
- (i) for “special health authority” substitute “ Special Health Authority ”, and
- (ii) for “that authority” substitute “ that Special Health Authority ”, and
- (d) in subsection (9), for the words from “ “Regional” to “1977”” substitute “ “Health Authority” means a Health Authority established under section 8 of the <sup>M45</sup>National Health Service Act 1977 and “Special Health Authority” means a Special Health Authority established under section 11 of that Act ”.
- (3) In the Schedule (contents of reports), in paragraphs 4 and 7, omit “district or”.

**Marginal Citations**

**M44** 1987 c.33.

**M45** 1977 c.49.

*The Income and Corporation Taxes Act 1988*

- 114 In section 519A of the <sup>M46</sup>Income and Corporation Taxes Act 1988 (health service bodies), in subsection (2)—
- (a) for paragraph (a) substitute—
- “(a) a Health Authority established under section 8 of the National Health Service Act 1977;
- (aa) a Special Health Authority established under section 11 of that Act;”, and
- (b) omit paragraph (c).

**Marginal Citations**

**M46** 1988 c.1.

*The Dartford-Thurrock Crossing Act 1988*

- 115 In section 19 of the <sup>M47</sup>Dartford-Thurrock Crossing Act 1988 (exemption from tolls), in paragraph (b), for “health authority (as defined in the <sup>M48</sup>National Health Service Act 1977)” substitute “ Health Authority established under section 8 of the National Health Service Act 1977 or a Special Health Authority established under section 11 of that Act ”.

**Marginal Citations**

**M47** 1988 c.20.

**M48** 1977 c.49.

*Status: Point in time view as at 28/06/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Health Authorities Act 1995, Part III. (See end of Document for details)*

*The Community Health Councils (Access to Information) Act 1988*

- 116 In section 1 of the <sup>M49</sup>Community Health Councils (Access to Information) Act 1988 (access to Council meetings and documents), in subsection (6)(a), for the words from “regional” to “region or district” substitute “ Health Authority within whose area ”.

**Marginal Citations**

**M49** 1988 c.24.

*The Road Traffic Act 1988*

- 117 In section 159 of the <sup>M50</sup>Road Traffic Act 1988 (payments for treatment)—
- (a) in subsection (1)(a), for—
    - (i) “Area Health Authority, District Health Authority or special health authority”, and
    - (ii) “such authority”,
 substitute “ Health Authority or Special Health Authority ”, and
  - (b) in subsection (3), for “Authority (in Scotland, Board)” substitute “ Health Authority or Special Health Authority (or, in Scotland, Health Board) ”.

**Marginal Citations**

**M50** 1988 c.52.

*The Children Act 1989*

- 118 (1) The <sup>M51</sup>Children Act 1989 shall be amended as follows.
- (2) In section 19 (review of provision for day care, child minding etc.), in subsection (7) (a), for “health authority” substitute “ Health Authority, Special Health Authority ”.
  - (3) In section 21 (provision of accommodation for children in police protection or detention or on remand etc.), in subsection (3), for “District Health Authority” substitute “ Health Authority ”.
  - (4) In section 24 (advice and assistance for certain children), in—
    - (a) subsection (2)(d), and
    - (b) subsection (12)(b),
 for “health authority” substitute “ Health Authority, Special Health Authority ”.
  - (5) In section 27 (co-operation between authorities), in subsection (3)(d), for “health authority” substitute “ Health Authority, Special Health Authority ”.
  - (6) In section 29 (recoupment of cost of providing services etc.), in subsection (8)(c), for “District Health Authority” substitute “ Health Authority ”.
  - (7) In section 47 (local authority’s duty to investigate), in subsection (11)(d), for “health authority” substitute “ Health Authority, Special Health Authority ”.



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- (8) In section 80 (inspection of children’s homes by persons authorised by Secretary of State)—
- (a) in subsection (1)(d), for “health authority” substitute “ Health Authority, Special Health Authority ”, and
  - (b) in subsection (5)(e), for “health authority” substitute “ Health Authority, Special Health Authority, ”.
- (9) In section 85 (children accommodated by health authorities and local education authorities), in subsection (1), for “health authority” substitute “ Health Authority, Special Health Authority, ”.
- (10) In section 105 (interpretation), in subsection (1)—
- (a) omit the definition of “district health authority”,
  - (b) for the definition of “health authority” substitute—

““Health Authority” means a Health Authority established under section 8 of the <sup>M52</sup>National Health Service Act 1977;”, and
  - (c) for the definition of “special health authority” substitute—

““Special Health Authority” means a Special Health Authority established under section 11 of the National Health Service Act 1977;”.

**Marginal Citations**

**M51** 1989 c.41.

**M52** 1977 c.49.

*The Access to Health Records Act 1990*

- 119 (1) The <sup>M53</sup>Access to Health Records Act 1990 shall be amended as follows.
- (2) In section 1 (definitions), in subsection (2), for “Family Practitioner Committee” substitute “ Health Authority ”.
- (3) In section 7 (duty of health service bodies etc. to take advice)—
- (a) in subsection (1), omit “or Family Practitioner Committee”,
  - (b) in subsection (2), after “(other than a” insert “ Health Authority or ”, and
  - (c) in subsection (3)—
    - (i) for “Family Practitioner Committee or a” substitute “ Health Authority or ”, and
    - (ii) for “Committee or Board” substitute “ Health Authority or Health Board ”.
- (4) In section 11 (interpretation)—
- (a) after the definition of “general practitioner” insert—

““Health Authority” means a Health Authority established under section 8 of the National Health Service Act 1977;”,
  - (b) in the definition of “health service body”, for paragraph (a) substitute—

“(a) a Health Authority or Special Health Authority;”, and

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(c) after the definition of “parental responsibility” insert—

““Special Health Authority” means a Special Health Authority established under section 11 of the National Health Service Act 1977.”

**Marginal Citations**

**M53** 1990 c.23.

*The Water Industry Act 1991*

120 (1) The <sup>M54</sup>Water Industry Act 1991 shall be amended as follows.

(2) In section 87 (fluoridation of water supplies at request of health authorities)—

- (a) in subsection (1), for “District Health Authority” substitute “ Health Authority ”,
- (b) in subsection (3), for “district of the authority” substitute “ area of the Health Authority ”,
- (c) in subsection (5), for “District Health Authority” substitute “ Health Authority ”, and
- (d) in subsection (9), for the words from “District” to the end substitute “ Health Authority are references to any Health Authority established under section 8 of the National Health Service Act 1977. ”

(3) In section 89 (publicity and consultation)—

- (a) for “District Health Authority” (in each place), and
- (b) in subsection (7), for “authority”, substitute “ Health Authority ”.

(4) In Schedule 7 (pre-1985 fluoridation schemes)—

- (a) in paragraph 2(2), for “Regional or District Health Authority” substitute “ Health Authority ”, and
- (b) in paragraph 3(1)—
  - (i) for “District Health Authority” substitute “ Health Authority ”, and
  - (ii) for “such an authority” substitute “ a Health Authority ”.

**Marginal Citations**

**M54** 1991 c.56.

*The Health and Personal Social Services (Northern Ireland) Order 1991*

121 (1) The <sup>M55</sup>Health and Personal Social Services (Northern Ireland) Order 1991 shall be amended as follows.

(2) In Article 8 (HSS contracts), in paragraph (2)(g), for paragraphs (i) and (ii) substitute—

- “(i) Health Authorities;
- (ii) Special Health Authorities;”.

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- (3) In Article 9 (primary and other functions of boards)—
- (a) in paragraph (2)—
    - (i) for “a health authority” substitute “ a Health Authority or Special Health Authority ”, and
    - (ii) for “health authority”, in the other place, substitute “ Health Authority, Special Health Authority ”, and
  - (b) in paragraph (5)(c), for “health authority” substitute “ Health Authority or Special Health Authority ”.
- (4) In Schedule 3 (HSS trusts), in paragraph 19(1)—
- (a) for “a health authority” substitute “ a Health Authority or Special Health Authority ”, and
  - (b) for “health authority”, in the other place, substitute “ Health Authority, Special Health Authority ”.

**Marginal Citations**

**M55** [S.I. 1991/194 \(N.I. 1\)](#)

*The Trade Union and Labour Relations (Consolidation) Act 1992*

- 122 In section 279 of the <sup>M56</sup>Trade Union and Labour Relations (Consolidation) Act 1992 (health service practitioners), in paragraph (a), for “Family Health Services Authority” substitute “ Health Authority ”.

**Marginal Citations**

**M56** [1992 c.52.](#)

*The Tribunals and Inquiries Act 1992*

- 123 In Schedule 1 to the <sup>M57</sup>Tribunals and Inquiries Act 1992 (tribunals under general supervision of Council on Tribunals), in Part I, for paragraph 33 substitute—

“National Health Service

33.

- (a) Health Authorities established under section 8 of the <sup>M58</sup>National Health Service Act 1977 (c. 49) in respect of their functions under the <sup>M59</sup>National Health Service (Service Committees and Tribunal) Regulations 1992 or any regulations amending or replacing those Regulations;
- (b) the tribunal constituted under section 46 of that Act;
- (c) committees of Health Authorities established under regulation 3 of those Regulations or any provision amending or replacing that regulation.”

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#### Marginal Citations

**M57** 1992 c.52.

**M58** 1977 c.49.

**M59** 1977 c. 49.

#### *The Education Act 1993*

- 124 (1) The <sup>M60</sup>Education Act 1993 shall be amended as follows.
- (2) In section 166 (duty of District Health Authority or local authority to help local education authority), for “District Health Authority” (in each place, including the sidenote) substitute “Health Authority”.
- (3) In section 176 (duty of District Health Authority or NHS trust to notify parent etc.)—
- (a) in subsection (1) and in the sidenote, for “District Health Authority”, and
  - (b) in subsections (2) and (3), for “health authority” (in each place), substitute “Health Authority”.

#### Marginal Citations

**M60** 1993 c. 35.

#### *The Welsh Language Act 1993*

- 125 In section 6 of the <sup>M61</sup>Welsh Language Act 1993 (meaning of “public body”), in subsection (1)—
- (a) for paragraph (f) substitute—
    - “(f) a Health Authority established under section 8 of the <sup>M62</sup>National Health Service Act 1977 or a Special Health Authority established under section 11 of that Act;”, and
  - (b) omit paragraph (h).

#### Marginal Citations

**M61** 1993 c. 38.

**M62** 1977 c. 49.

#### *The Health Service Commissioners Act 1993*

- 126 (1) The <sup>M63</sup>Health Service Commissioners Act 1993 shall be amended as follows.
- (2) In section 2 (health service bodies subject to investigation)—
- (a) in subsection (1), for paragraphs (a) and (b) substitute—
    - “(a) Health Authorities whose areas are in England;”, and omit paragraph (e), and

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- (b) in subsection (2), for paragraph (a) substitute—
- “(a) Health Authorities whose areas are in Wales,” in paragraph (b), after “Wales,” insert “ and ” and omit paragraph (d) and the word “and” immediately preceding it.
- (3) In section 6 (restrictions on certain investigations), in subsection (3), for “Family Health Services Authority” substitute “ Health Authority ”.
- (4) In section 14 (reports by Commissioners), in subsection (1)—
- (a) in paragraph (d), after “of,” insert “ and ”, and
- (b) for paragraphs (e) and (f) substitute—
- “(e) to the Secretary of State.”

**Marginal Citations**

**M63** 1993 c. 46.

*The Value Added Tax Act 1994*

- 127 In Schedule 8 to the <sup>M64</sup>Value Added Tax Act 1994 (zero-rating), in Part II, in Group 15, in Note (4)(a), for “Regional, District or Special Health Authority” substitute “ Health Authority or Special Health Authority ”.

**Marginal Citations**

**M64** 1994 c. 23.

**Status:**

Point in time view as at 28/06/1995.

**Changes to legislation:**

There are currently no known outstanding effects for the Health Authorities Act 1995, Part III.