



Health Services and Public Health Act 1968

1968 CHAPTER 46

PART IV **U.K.**

MISCELLANEOUS MATTERS

Provisions applicable to England and Wales and Scotland

[^{F1}64 Financial assistance by the Minister of Health and the Secretary of State to certain voluntary organisations. **E+W**

(1) [^{F2}The Secretary of State] may, upon such terms and subject to such conditions as he may, with the approval of the Treasury, determine, give to a voluntary organisation to which this section applies assistance by way of grant or by way of loan, or partly in the one way and partly in the other.

(2) This section applies to a voluntary organisation whose activities consist in, or include, the provision of a service similar to a relevant service, the promotion of the provision of a relevant service or a similar one, the publicising of a relevant service or a similar one or the giving of advice with respect to the manner in which a relevant service or a similar one can best be provided.

(3) In this section—

- [“the relevant enactments” means—
- ^{F3}(a) (i) Parts III and IV of the ^{M1}Children and Young Persons Act 1933,
 - ^{F4}(ii)
 - (iii) Part III of the ^{M2}National Assistance Act 1948,
 - ^{F5}(iv)
 - ^{F6}(v)
 - ^{F7}(vi)
 - ^{F7}(vii)

Status: Point in time view as at 01/04/2007. This version of this provision has been superseded.

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- (viii) section 10 of the Mental Health Act 1959, so far as it relates to cases mentioned in paragraph (a) of that section,
- ^{F7}(ix)
- (x) the ^{M3}Children and Young Persons Act 1963, except Part II and section 56,
- (xi) this Act,
- ^{F8}(xii)
- (xiii) section 7(4) of the ^{M4}Family Law Reform Act 1969,
- (xiv) the ^{M5}Children and Young Persons Act 1969, ^{F9}...
- ^{F7}(xv)
- ^{F10}(xvi)
- (xvii) the ^{M6}Children Act 1975
- ^{F11}(xviii) the Adoption and Children Act 2002],
- ^{F12}(xviii) the National Health Service Act 2006 and the National Health Service (Wales) Act 2006],
- [the Children Act 1989],
- ^{F13}(xx)
- [sections 63 to 66 and 92 of, and Schedules 6 and 7 to, the Powers of ^{F14}(xxi) Criminal Courts (Sentencing) Act 2000;]]
- (b) “relevant service” means a service which must or may, by virtue of the relevant enactments, be provided or the provision of which must or may, by virtue of those enactments, be secured by [^{F15}the Secretary of State] or the council of a [^{F16}non-metropolitan county, [^{F17}county borough] metropolitan district] or London borough or the Common Council of the City of London or a service for the provision of which [^{F18}a [^{F19}Primary Care Trust or][^{F20}Local Health Board] are, by virtue of [^{F21}Chapter 1 of Part 7 of the National Health Service Act 2006, or Part 6 of, or Chapter 1 of Part 7 of, the National Health Service (Wales) Act 2006,] under a duty to make arrangements [^{F22}or any service which a Primary Care Trust or Local Health Board is under a duty to provide under section 16CA or 16CC of that Act]; and
- (c) “voluntary organisation” means a body the activities of which are carried on otherwise than for profit, but does not include any public or local authority.
- (4) This section shall have effect in Scotland as if, in subsection (1) thereof, for the reference to the Minister of Health, there were substituted a reference to the Secretary of State; and as if, in subsection (3) thereof, for paragraphs (a) and (b), there were substituted the following paragraphs:—
- “(a) “the relevant enactments” means ^{F23}... , Part III of the National Assistance Act 1948 and Part I of this Act and section 45 thereof [^{F24}and the National Health Service Scotland Act [^{F25}1978]];
- (b) “relevant service” means a service which must or may, by virtue of the relevant enactments, be provided or the provision of which must or may, by virtue of those enactments, be secured by the Secretary of State or by a county council or by the town council of a large burgh; or a service for the provision of which [^{F26}a Health Board] is, by virtue of Part [^{F27}II] of the National Health Service (Scotland) Act [^{F27}1978] under a duty to make arrangements [^{F28}or any service which a Health Board is under a duty to provide under section 2C of that Act]; and”]

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Textual Amendments

- F1** S. 64 repealed so far as it relates to (S.) by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), s. 3, [Sch. 10 Pt. I](#)
- F2** Words substituted by virtue of [S.I. 1968/1699](#), [arts. 2, 5\(4\)\(a\)](#)
- F3** S. 64(3)(a) substituted by [Children Act 1975 \(c. 72\)](#), [Sch. 3 para. 46](#)
- F4** S. 64(3)(a)(ii) repealed by [National Health Service Act 1977 \(c. 49\)](#) Sch. 16
- F5** S. 64(3)(a)(iv) repealed by [Child Care Act 1980 \(c.5, SIF 20\)](#), s. 89, [Sch. 6](#)
- F6** S. 64(3)(a)(v) repealed by [Adoption Act 1976 \(c. 36\)](#), s. 74(2), [Sch. 4](#)
- F7** S. 64(3)(a)(vi)(vii)(ix)(xv) repealed (E.W.) ([14. 10. 1991](#)) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch. 15](#), (with Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#).
- F8** S. 64(3)(a)(xii) repealed by [Adoption Act 1976 \(c. 36\)](#), s. 74(2), [Sch. 4](#)
- F9** Words repealed by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 6](#)
- F10** S. 64(3)(a)(xvi) repealed by [National Health Service Act 1977 \(c. 49\)](#), [Sch. 16](#)
- F11** S. 64(3)(a)(xviii) substituted (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 3 para. 10](#) (with [Sch. 4 paras. 6-8](#)); [S.I. 2005/2213](#), art. 2(o)
- F12** Words in s. 64(3)(a) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 39\(a\)](#) (with Sch. 3 Pt. 1)
- F13** S. 64(3)(a)(xx) substituted (E.W.) ([14. 10. 1991](#)) for s. 64(3)(a)(xix) (which was added (E.W.) by [Child Care Act 1980 \(c. 5, SIF 20\)](#), s. 89, [Sch. 5 para. 19](#)), by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5)(6), [Sch. 13 para. 17\(1\)](#), (with Sch. 14 para. 1(1)); [S.I. 1991/828](#), [art. 3\(2\)](#).
- F14** S. 64(3)(a)(xxi) inserted (25.8.2000) by 2000 c. 6, ss. 165(1), 168(1), [Sch. 9 para. 32](#)
- F15** Words substituted by virtue of [S.I. 1968/1699](#), [arts. 2, 5\(4\)\(a\)](#)
- F16** Words substituted by [National Health Service Reorganisation Act 1973 \(c. 32, SIF 113:2\)](#), s. 57, [Sch. 4 para. 125\(2\)](#)
- F17** Words in s. 64(3)(b) inserted (1.4.1996) by 1994 c. 19, s. 22(4), [Sch. 10 para. 5\(2\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 para. 22\(1\), 23\(2\)](#)); [S.I. 1996/396](#), art. 3, [Sch. 1](#)
- F18** Words in s. 64(3)(b) substituted (28.6.1995 for specified purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. III](#), para. 95(3)
- F19** Words in s. 64(3)(b) inserted (1.10.2002) by 2002 c. 17, ss. 2(5), [Sch. 2 Pt. 2 para. 40\(3\)](#); [S.I. 2002/2478](#), [art. 3\(1\)\(d\)](#) (subject to arts 3(3) and 4)
- F20** Words in s. 64(3)(b) substituted (1.4.2007) by [The References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 1(1), [Sch. para. 6\(3\)](#)
- F21** Words in s. 64(3)(b) substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 39\(b\)](#) (with Sch. 3 Pt. 1)
- F22** Words in s. 64(3)(b) inserted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 11 para. 5](#); [S.I. 2004/288](#), art. 5(2)(d) (with art. 7) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#)); [S.I. 2004/480](#), art. 4(2)(d) (with art. 6) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#)); [S.I. 2004/288](#), art. 5(2)(d) (with art. 7) (as amended by [S.I. 2004/866](#) and [S.I. 2005/2925](#)); [S.I. 2004/480](#), art. 4(2)(d) (with art. 6) (as amended by [S.I. 2004/1019](#) and [S.I. 2006/345](#))
- F23** Words repealed by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), [Sch. 17](#)
- F24** Words added by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), [Sch. 6 para. 136\(a\)](#)
- F25** Word substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), [Sch. 16 para. 27\(a\)](#)
- F26** Words substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), [Sch. 6 para. 136\(b\)](#)
- F27** Words substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), [Sch. 16 para. 27\(b\)](#)
- F28** Words in s. 64(4) inserted (1.4.2004) by [The Primary Medical Services \(Scotland\) Act 2004 \(Consequential Modifications\) Order 2004 \(S.I. 2004/957\)](#), art. 1, [Sch. para. 1\(4\)](#)

Modifications etc. (not altering text)

- C1** S. 64(1): functions of local authority not to be responsibility of an executive of the authority (1.4.2000) by virtue of [S.I. 2000/695](#), reg. 3(2)(a), [Sch. 1](#)

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- S. 64(1): transfer of functions (E.) (1.4.2001) by [S.I. 2001/747](#), [regs. 2\(1\)](#), [Sch. 1](#) (with [regs. 3, 4](#))
- C2** The references to the Minister of Health in s. 64(1)(3)(b) have been replaced by references to the Secretary of State

Marginal Citations

- M1** 1933 c. 12.
M2 1948 c. 29.
M3 1963 c. 37.
M4 1969 c. 46.
M5 1969 c. 54.
M6 1975 c. 72.

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