

SCHEDULES

SCHEDULE 1

Sections 5, 6.

ADDITIONAL PROVISIONS RELATING TO NEW AUTHORITIES

PART I

MEMBERSHIP OF REGIONAL AND AREA HEALTH AUTHORITIES

Regional Health Authorities

- 1 (1) A Regional Health Authority shall consist of a chairman appointed by the Secretary of State and of such number of other members appointed by him as he thinks fit.
- (2) Except in prescribed cases it shall be the duty of the Secretary of State, before he appoints a member of a Regional Health Authority other than the chairman, to consult with respect to the appointment—
- (a) subject to sub-paragraph (3) of this paragraph, such of the following bodies of which the areas or parts of them are within the region of the Authority, namely, county councils, metropolitan district councils, the Greater London Council, London borough councils and the Common Council of the City of London ;
 - (b) the university or universities with which the provision of health services in that region is or is to be associated;
 - (c) such bodies as the Secretary of State may recognise as being, either in that region or generally, representative respectively of medical practitioners, dental practitioners, nurses, midwives, registered pharmacists and ophthalmic and dispensing opticians or representative of such other professions as appear to him to be concerned ;
 - (d) any federation of workers' organisations which appears to the Secretary of State to be concerned and any voluntary organisation within the meaning of section 13 of this Act and any other body which appear to him to be concerned ; and
 - (e) in the case of an appointment of a member falling to be made after the establishment of the Regional Health Authority, that Authority.
- (3) In relation to an appointment of a member falling to be made before the appointed day, the preceding sub-paragraph shall have effect as if for paragraph (a) there were substituted the following paragraph—
- (a) such of the following bodies providing services in the region of the Authority as the Secretary of State thinks fit, namely, Regional Hospital Boards, Boards of Governors, Executive Councils, the Greater London Council and local health authorities.

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Area Health Authorities

- 2 (1) Subject to paragraph 4 below, an Area Health Authority for an area in England shall consist of the following members—
- (a) a chairman appointed by the Secretary of State ;
 - (b) the specified number of members appointed by the relevant Regional Authority after consultation, except in prescribed cases, with the bodies mentioned in sub-paragraph (2) of this paragraph;
 - (c) the specified number of members appointed by the relevant Regional Authority on the nomination of the university or universities specified as being associated with the provision of health services in that Authority's region ; and
 - (d) the specified number (not less than four) of members appointed by the specified local authority or local authorities.
- (2) The bodies referred to in paragraph (b) of the preceding sub-paragraph are—
- (a) such bodies as the relevant Regional Authority may recognise as being, either in its region or in the area of the Area Health Authority or generally, representative respectively of medical practitioners, dental practitioners, nurses, midwives, registered pharmacists and ophthalmic and dispensing opticians or representative of such other professions as appear to the relevant Regional Authority to be concerned ;
 - (b) such other bodies (including any federation of workers' organisations) as appear to the relevant Regional Authority to be concerned, excluding any university which has nominated or is entitled to nominate a member and any local authority which has appointed or is entitled to appoint a member;
 - (c) in relation to an appointment of a member falling to be made before the appointed day, such of the Regional Hospital Boards, Hospital Management Committees, Boards of Governors and Executive Councils providing services within the area of the Area Health Authority in question as the relevant Regional Authority thinks fit; and
 - (d) in relation to an appointment of a member falling to be made after the establishment of the Area Health Authority in question, that Authority.
- 3 The preceding paragraph shall apply to an Area Health Authority for an area in Wales as if for any reference to the relevant Regional Authority there were substituted a reference to the Secretary of State and for any reference to England or the region of that Authority there were substituted a reference to Wales.
- 4 The members of an Area Health Authority (Teaching) shall, in addition to the members appointed in pursuance of paragraph 2 above, include the specified number of members appointed—
- (a) in the case of members falling to be appointed before the appointed day, by the Secretary of State from among the members of and after consultation with such as he thinks fit of—
 - (i) the Boards of Governors and Hospital Management Committees of teaching hospitals and university hospitals situated wholly or partly within the area of the Authority in question, or
 - (ii) if there is no such Board or Committee, the Hospital Management Committees managing hospitals or groups of hospitals situated wholly or partly within that area ;
 - (b) in the case of members falling to be appointed on or after the appointed day to an Area Health Authority (Teaching) of which the area is in England

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by the relevant Regional Authority from among persons appearing to that Authority to have knowledge of and experience in the administration of a hospital providing substantial facilities for undergraduate or post-graduate clinical teaching ;

- (c) in the case of members falling to be appointed on or after the appointed day to an Area Health Authority (Teaching) of which the area is in Wales, by the Secretary of State from among persons appearing to him to have such knowledge and experience ;

and in this paragraph " university hospital" means a hospital or group of hospitals designated as a university hospital in pursuance of section 5 of the Health Services and Public Health Act 1968.

Supplemental

- 5 (1) References in the preceding provisions of this Schedule to the region or area of an Authority shall, in a case where the Authority has not been established or a region or area for it has not been determined, be construed as a reference to the locality which the Secretary of State considers is to be the region or area of the Authority.
- (2) For the purposes of paragraphs 2 to 4 above—
- " local authority " means the council of a non-metropolitan county, a metropolitan district and a London borough, the Inner London Education Authority and the Common Council of the City of London ;
- " the relevant Regional Authority " means the Regional Health Authority of which the region includes the area of the Area Health Authority in question; and
- " specified " means specified in the order establishing the Area Health Authority in question or, where another order provides for it to be called an Area Health Authority or an Area Health Authority (Teaching), in that other order.
- (3) Where an order establishing an Area Health Authority or another order providing for it to be called an Area Health Authority or an Area Health Authority (Teaching) specifies more than one university in pursuance of paragraph 2(1)(c) above, the order may contain provision as to which of the universities shall, either severally or jointly, nominate all or any of the members falling to be nominated in pursuance of the said paragraph 2(1)(c); and where such an order specifies more than one local authority in pursuance of paragraph 2(1)(d) above, the order may provide for each of the local authorities to appoint in pursuance of the said paragraph 2(1)(d) the number of members specified in the order in relation to that local authority.

PART II

MEMBERSHIP OF FAMILY PRACTITIONER COMMITTEES

- 6 (1) Subject to paragraph 7 below, a Family Practitioner Committee shall consist of thirty members of whom—
- (a) eleven shall be appointed by the Area Health Authority responsible for establishing the Committee and at least one of them must be, but not every one of them shall be, a member of the Authority ;

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- (b) four shall be appointed by the local authority entitled in pursuance of paragraph 2(1)(d) above to appoint members of that Authority or, where two or more local authorities are so entitled, by those authorities acting jointly;
- (c) eight shall be appointed by the Local Medical Committee for the area of that Authority and one of them must be, and not more than one shall be, a medical practitioner having the qualifications prescribed in pursuance of section 41 of the principal Act (which relates to ophthalmic services);
- (d) three shall be appointed by the Local Dental Committee for that area ;
- (e) two shall be appointed by the Local Pharmaceutical Committee for that area;
- (f) one shall be an ophthalmic optician appointed by such members of the Local Optical Committee for that area as are ophthalmic opticians ; and
- (g) one shall be a dispensing optician appointed by such members of the said Local Optical Committee as are dispensing opticians;

and the members of a Family Practitioner Committee shall from time to time, in accordance with such procedure as may be prescribed, select one of their members to be the chairman of the Committee.

- (2) If any appointment falling to be made in pursuance of the preceding sub-paragraph by or by certain members of a Local Committee is not made before such date as the Area Health Authority in question may determine for that appointment, the appointment shall be made by that Authority to the exclusion of the Committee or members in question.
 - (3) The members of a Local Committee who are mentioned in paragraphs (f) and (g) of sub-paragraph (1) of this paragraph may if they think fit appoint, in addition to the member of a Family Practitioner Committee appointed by them, an ophthalmic or, as the case may be, a dispensing optician to be the deputy of the member so appointed, and the Local Committee by which such a practitioner as is mentioned in paragraph (c) of the said sub-paragraph (1) is appointed in pursuance of that paragraph as a member of a Family Practitioner Committee may if it thinks fit appoint another such practitioner to be his deputy; and a deputy appointed in pursuance of this sub-paragraph may, while the member for whom he is the deputy is absent from any meeting of the relevant Family Practitioner Committee, act as a member of that Committee in the place of the absent member.
 - (4) If an Area Health Authority proposes to make before the appointed day an appointment in pursuance of paragraph (a) of sub-paragraph (1) of this paragraph, it shall be the duty of the Authority before it makes the appointment to consult such Executive Councils exercising functions in its area as the Authority considers appropriate.
- 7
- (1) If it appears to the Secretary of State that, by reason of special circumstances affecting the area of an Area Health Authority, it is appropriate that the Family Practitioner Committee established or to be established by the Authority should not be in accordance with the preceding paragraph, he may by order provide that that paragraph shall apply in relation to the Committee with such modifications as are specified in the order.
 - (2) It shall be the duty of the Secretary of State—
 - (a) before he makes an order in pursuance of the preceding sub-paragraph in respect of a Family Practitioner Committee which is already established to consult the Committee with respect to the order ; and

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- (b) in making any such order to have regard to the desirability of maintaining, so far as practicable, the same numerical proportion as between members falling to be appointed by different bodies in pursuance of the preceding paragraph apart from any modification.

PART III

SUPPLEMENTARY PROVISIONS RELATING TO NEW AUTHORITIES

Corporate status

- 8 Each Regional Health Authority, Area Health Authority, special health authority and Family Practitioner Committee (hereafter in this Schedule referred to severally as " an authority ") shall be a body corporate with perpetual succession and a common seal.

Pay and allowances

- 9 (1) The Secretary of State may pay to the chairman of an authority other than a Family Practitioner Committee such remuneration as he may determine with the approval of the Minister for the Civil Service.
- (2) The Secretary of State may make such provision as he may determine as aforesaid for the payment of a pension, allowance or gratuity to or in respect of the chairman of an authority other than such a Committee.
- (3) Where a person ceases to be the chairman of an authority other than such a Committee and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Secretary of State may make to him a payment of such amount as the Secretary of State may determine as aforesaid.
- (4) The Secretary of State may pay to a member of an authority, or of a committee or sub-committee of an authority, such travelling and other allowances (including attendance allowance or compensation for loss of remunerative time) as he may determine as aforesaid.
- (5) Allowances shall not be paid in pursuance of the preceding sub-paragraph except in connection with the exercise, in such circumstances as the Secretary of State may determine as aforesaid, of such functions as he may so determine.
- (6) Payments in pursuance of this paragraph shall be made at such times and in such manner and subject to such conditions as the Secretary of State may determine as aforesaid.

Staff

- 10 (1) An authority other than a Family Practitioner Committee may employ, on such terms as it may determine in accordance with regulations and such directions as may be given by the Secretary of State, such officers as it may so determine ; and regulations made for the purposes of this sub-paragraph may contain provision—
- (a) with respect to the qualifications of persons who may be employed as officers of an authority ;

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- (b) requiring an authority to employ, for the purpose of performing prescribed functions of the authority or any other body, officers having prescribed qualifications or experience ; and
 - (c) as to the manner in which any officers of an authority are to be appointed.
- (2) Regulations may make provision for the transfer of officers from one authority to another which is not a Family Practitioner Committee and for the making of arrangements under which the services of an officer of an authority are placed at the disposal of another authority or a local authority.
- (3) The Secretary of State may direct an authority to place services of any of its officers at the disposal of another authority and, subject to any directions given by the Secretary of State in pursuance of this sub-paragraph, a Regional Health Authority may direct an Area Health Authority of which the area is included in its region to place services of any of its officers at the disposal of another such Area Health Authority ; and it shall be the duty of an authority to which directions are given in pursuance of this sub-paragraph to comply with the directions.
- (4) The Secretary of State may direct an authority, other than a Family Practitioner Committee, to employ as an officer of the authority any person who is or was employed by another authority and is specified in the direction, and a Regional Health Authority may direct an Area Health Authority of which the area is included in its region to employ as an officer of the Area Health Authority a person who is or was employed by an authority other than the Area Health Authority and is specified in the direction; and it shall be the duty of an authority to which a direction is given in pursuance of this sub-paragraph to comply with the direction.
- (5) Regulations made in pursuance of this paragraph shall not require that all consultants employed by an authority are to be so employed whole-time.
- 11 (1) It shall be the duty of the Secretary of State, before he makes regulations in pursuance of the preceding paragraph, to consult such bodies as he may recognise as representing persons who in his opinion are likely to be affected by the regulations.
- (2) Subject to the following sub-paragraph, it shall be the duty of the Secretary of State or as the case may be of a Regional Health Authority, before he or the Authority gives directions to an authority in pursuance of sub-paragraph (3) or (4) of the preceding paragraph in respect of any officer of an authority, to consult the officer about the directions or to satisfy himself or itself that the authority of which he is an officer has consulted the officer about the placing or employment in question or (except in the case of a direction in pursuance of the said sub-paragraph (4)) to consult with respect to the directions such body as he or the Authority may recognise as representing the officer.
- (3) If the Secretary of State or Regional Health Authority considers it necessary to give directions in pursuance of sub-paragraph (3) of the preceding paragraph for the purpose of dealing temporarily with an emergency and has previously consulted bodies recognised by him or the Authority as representing the relevant officers about the giving of such directions for that purpose, the Secretary of State or the Authority shall be entitled to disregard the preceding sub-paragraph in relation to the directions.

Miscellaneous

- 12 Provision may be made by regulations as to—

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- (a) the appointment and tenure of office of the chairman and members of an authority ;
 - (b) the appointment of and the exercise of functions by committees and sub-committees of an authority (including joint committees and joint sub-committees of two or more authorities and committees and sub-committees consisting wholly or partly of persons who are not members of the authority in question);
 - (c) the procedure of an authority and of such committees and sub-committees as are mentioned in the preceding sub-paragraph.
- 13 An authority may pay subscriptions, of such amounts as the Secretary of State may approve, to the funds of such bodies as he may approve.
- 14 The proceedings of an authority shall not be invalidated by any vacancy in its membership or by any defect in the appointment of a member of the authority.
- 15 (1) An authority shall, notwithstanding that it is exercising any function on behalf of the Secretary of State or another authority, be entitled to enforce any rights acquired in the exercise of that function, and be liable in respect of any liabilities incurred (including liabilities in tort) in the exercise of that function, in all respects as if it were acting as a principal; and proceedings for the enforcement of such rights and liabilities shall be brought, and brought only, by or as the case may be against the authority in question in its own name.
- (2) An authority shall not be entitled to claim in any proceedings any privilege of the Crown in respect of the discovery or production of documents; but this sub-paragraph shall not prejudice any right of the Crown to withhold or procure the withholding from production of any document on the ground that its disclosures would be contrary to the public interest.
- 16 Provision may be made by regulations with respect to the recording of information by an authority and the furnishing of information by an authority to the Secretary of State or another authority.

SCHEDULE 2

Section 15(1).

HOSPITALS OF WHICH THE BOARDS OF GOVERNORS MAY BE PRESERVED

The teaching hospitals to which the following names are assigned by orders made by virtue of section 11 of the principal Act before the passing of this Act, that is to say—

The Hospitals for Sick Children
The National Hospitals for Nervous Diseases
The Royal National Throat, Nose and Ear Hospital
The Moorfields Eye Hospital
The Bethlem Royal Hospital and the Maudsley Hospital
St. John's Hospital for Diseases of the Skin
The Royal National Orthopaedic Hospitals
The National Heart and Chest Hospitals
St. Peter's Hospitals
The Royal Marsden Hospital
Queen Charlotte's Hospital for Women

The Eastman Dental Hospital.

SCHEDULE 3

Sections 34, 38 and 39.

MATTERS NOT SUBJECT TO INVESTIGATION BY HEALTH SERVICE COMMISSIONERS

- 1 Action taken in connection with the diagnosis of illness or the care or treatment of a patient, being action which, in the opinion of the Commissioner in question, was taken solely in consequence of the exercise of clinical judgment, whether formed by the person taking the action or by any other person.
- 2 Action taken by an Executive Council or a Family Practitioner Committee in the exercise of its functions under the National Health Service (Service Committees and Tribunal) Regulations 1956 or any instrument amending or replacing those regulations.
- 3 Action taken in respect of appointments or removals, pay, discipline, superannuation or other personnel matters in relation to service under the Health Service Acts.
- 4 Action taken in matters relating to contractual or other commercial transactions, other than in matters arising from arrangements between a relevant body and another body which is not a relevant body for the provision of services for patients by that other body; and in determining what matters arise from such arrangements any arrangements for the provision of services at an establishment maintained by a Minister of the Crown for patients who are mainly members of the armed forces of the Crown shall be disregarded.
- 5 Action which has been or is the subject of an inquiry under section 70 of the principal Act.

SCHEDULE 4

Section 57.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

The Midwives Act 1936

- 1 In section 2(3) of the Midwives Act 1936 (which relates to the appointment of midwives), the first reference to that Act shall be construed as including a reference to section 2 of the National Health Service Reorganisation Act 1973.

The Public Health Act 1936

- 2 In section 1(1) of the Public Health Act 1936 (which imposes on local authorities the duty of carrying the Act into execution), after the words " carry this Act" there shall be inserted the words " , excluding Part VI except section 198, ".
- 3 In section 143(3) of that Act (which provides that regulations may be made for the treatment of persons affected with certain diseases and specifies the authorities for the enforcement of the regulations), after the words " port health authorities " there shall be inserted the words " Regional Health Authorities, Area Health Authorities or special health authorities ".

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- 4 In section 169(1) of that Act (which provides that a person suffering from a notifiable disease may be removed to a hospital), for the words " Hospital Management Committee or Board of Governors " there shall be substituted the words " Area Health Authority responsible for the administration ".
- 5 In section 187(2) of that Act (which requires an application for the registration of a person in respect of a nursing home to be accompanied by a fee of £1), for the words from " fee " onwards there shall be substituted the words " fee of such amount as the Secretary of State may prescribe by regulations; and without prejudice to the operation of section 5(2) of the Statutory Instruments Act 1946 any such regulation shall be laid before Parliament ".
- 6 In section 244 of that Act (which provides that a person living in a common lodging house who is suffering from a notifiable disease may be removed to a hospital), for the words " Hospital Management Committee or Board of Governors " there shall be substituted the words " Area Health Authority responsible for the administration ".

The Education Act 1944

- 7 In subsection (4) of section 48 of the Education Act 1944 (which requires local education authorities to encourage and assist pupils to take advantage of the facilities for free medical treatment provided in pursuance of that section), for the words " such facilities as aforesaid " there shall be substituted the words " the provision for medical and dental inspection and treatment made for them in pursuance of section 3(1) or 3(2)(a)(i) of the National Health Service Reorganisation Act 1973 " and for the words " medical treatment provided under this section " there shall be substituted the words " of the provision so made ".
- 8 In section 114(1) of that Act, at the end of the definition of "Medical officer" there shall be inserted the words " or whose services are made available to that authority by the Secretary of State ".

The Education Act 1946

- 9 In section 4(2)(c) of the Education Act 1946 (which relates to buildings connected with the carrying out by local education authorities of their functions relating to medical inspection or treatment), for the words from "local" to "treatment" there shall be substituted the words " Secretary of State to carry out the functions conferred on him by section 3 of the National Health Service Reorganisation Act 1973 ".

The principal Act

- 10 In section 1 of the principal Act (which among other things provides for the establishment of the national health service and the provision of services in accordance with the following provisions of that Act), in subsection (1) for the words " the following provisions of this Act " there shall be substituted the words " the National Health Service Acts 1946 to 1973 " and in subsection (2) for the words " this Act " there shall be substituted the words " those Acts ".
- 11 In section 2 of that Act, in subsection (1) (which among other things provides for the Central Health Services Council to give advice to the Secretary of State about the services provided under that Act and any services provided by local health authorities), for the words from " under this Act " to " such authorities " there shall

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- be substituted the words " under the National Health Service Acts 1946 to 1973 " and in subsection (3) (which among other things provides for standing advisory committees to consist partly of members appointed by the Secretary of State after consultation with that Council as being persons of experience in relevant services) the words from "after consultation with that Council" to "those services" shall be omitted.
- 12 (1) In section 3(2) of that Act (which relates to the supply as part of the hospital and specialist services of appliances of a more expensive type than the prescribed type and the replacement and repair of appliances), for the words " as part of the hospital and specialist services " in paragraph (a) and the words " as part of the services aforesaid " in paragraph (b) there shall be substituted the words " by him ".
- (2) In section 3(3) of that Act (which relates to the payment by the Secretary of State of travelling expenses in connection with hospital and specialist services), for the words " hospital and specialist services " there shall be substituted the words " any services provided under the National Health Service Acts 1946 to 1973 ".
- 13 In section 4 of that Act (which relates to hospital accommodation available on part payment), for the words from " in any hospital" to " available " there shall be substituted the words " , at any hospital or group of hospitals vested in the Secretary of State or in which patients are treated under arrangements made by virtue of section 13(1) of the National Health Service Reorganisation Act 1973 or at the hospitals in a particular area which are vested in him or in which patients are so treated, accommodation in single rooms or small wards which is not for the time being needed by any patient on medical grounds, the Secretary of State may authorise the accommodation to be made available, to such extent as he may determine, ".
- 14 In section 16(1) of that Act (which relates to research connected with illness), after the word " illness" there shall be inserted the words " and into such other matters connected with any service provided under the National Health Service Acts 1946 to 1973 as the Secretary of State considers appropriate ".
- 15 In section 17 of that Act (which authorises the Secretary of State to provide a bacteriological service for the control of infectious diseases), for the word " bacteriological" there shall be substituted the word " microbiological ".
- 16 In section 18 of that Act (which among other things provides that where the Secretary of State has, in providing hospital and specialist services, acquired supplies of human blood for the purpose of carrying out a blood transfusion he may arrange for the supplies to be available to local health authorities and medical practitioners who require them in cases of emergency), for the words from " in providing " to " transfusion" there shall be substituted the words " acquired supplies of human blood for the purposes of any service under the National Health Service Acts 1946 to 1973 " and for the words from " local " to " emergency " there shall be substituted the words " any person " ; and the words " in cases of emergency " where they first occur shall be omitted.
- 17 (1) In section 22(1) of that Act (which requires local health authorities to make arrangements for the care, including in particular dental care, of nursing and expectant mothers and young children), the words " including in particular dental care " shall be omitted.

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- (2) In section 22(2) of that Act (which authorises the making and recovery of certain charges with the approval of the Minister) the words " with the approval of the Minister " shall be omitted.
- 18 In section 32 of that Act (which relates to local representative committees)—
- (a) for the words " Executive Council" in subsection (1) there shall be substituted the words " Area Health Authority ";
 - (b) for the words " of that area " in subsection (1)(a) there shall be substituted the words " providing general medical services or general ophthalmic services in that area " and for the words " of that area " in subsection (1)(c) there shall be substituted the words " providing general dental services in that area ";
 - (c) for the words " Executive Council" in subsection (2) there shall be substituted the words " Family Practitioner Committee for the area of an Area Health Authority in respect of which Local Committees are recognised in pursuance of the foregoing subsection ";
 - (d) for the words " Executive Council" in both places where they occur and the word " Council" in subsection (3) there shall be substituted the words " Family Practitioner Committee " and for the words "that Committee" and " the Committee " wherever they occur in that subsection there shall be substituted the words " the Local Committee ";
 - (e) for the word " Committee " in both places where it occurs in subsection (4) there shall be substituted the words " Local Committee ".
- 19 (1) In section 33(1) of that Act (which imposes a duty on Executive Councils to make arrangements for the provision of general medical services), for the words " Executive Council" there shall be substituted the words " Area Health Authority ".
- (2) After section 33(2) of that Act there shall be inserted the following subsection—
- (3) Regulations under the last foregoing subsection may provide for the personal medical services there mentioned to include the provision of, and of services connected with, any such advice, examination and treatment as are mentioned in section 4 of the National Health Service Reorganisation Act 1973.
- 20 In section 34 of that Act (which relates to the distribution of medical practitioners providing services), for the words " Executive Councils", " Executive Council " and " Council" in each place where they occur there shall be substituted respectively the words " Area Health Authorities " , "Area Health Authority" and " Authority ".
- 21 In section 35(1) of that Act (which prohibits the sale of medical practices where the name of a medical practitioner is entered on any list of medical practitioners), in the proviso after the word " Council" there shall be inserted the words " or Area Health Authority ".
- 22 After subsection (3) of section 36 of that Act (of which paragraph (d) requires the payment of interest on compensation payable in pursuance of that section), there shall be inserted the following subsection—
- “(3A) Regulations under subsection (3)(d) of this section may provide for the interest payable on any amount of compensation to be paid at a date later than the date on which the compensation is paid.”
- 23 At the end of section 38(3) of that Act (which relates to charges for pharmaceutical services) there shall be inserted the words " ; and it is hereby declared that

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- regulations under this subsection may include provision in respect of charges for the supply of such substances and appliances as are mentioned in section 4 of the National Health Service Reorganisation Act 1973 ".
- 24 In section 39(1) of that Act (which provides that no medical or dental practitioner may supply pharmaceutical services to a patient except as provided by regulations), for the words " Executive Council " there shall be substituted the words " Area Health Authority ".
- 25 (1) In section 40(1) of that Act (which imposes a duty on Executive Councils to make arrangements for the provision of general dental services), for the words "Executive Council" there shall be substituted the words " Area Health Authority ".
- (2) In the proviso to section 40(1) of that Act (under which the remuneration of certain dental practitioners must not, except in special circumstances, consist wholly or mainly of a fixed salary), for the words from "except" onwards there shall be substituted the words
- “consist wholly or mainly of a fixed salary unless either—
- (a) the remuneration is paid in pursuance of arrangements made under section 43 of this Act; or
- (b) the services are provided in prescribed circumstances and the practitioner consents;
- and it shall be the duty of the Secretary of State, before he prescribes any circumstances for the purposes of paragraph (b) above to consult such organisations as appear to him to be representative of the dental profession”.
- (3) At the end of section 40(2)(d) of that Act (which provides that regulations may prescribe duties of the Dental Estimates Board), there shall be inserted the words " and to the remuneration of dental practitioners providing general dental services ".
- (4) In section 40(2)(e) of that Act (which provides that regulations may make provision for certain matters in relation to the Board), for the words " Executive Council" there shall be substituted the words " Area Health Authority " and for the words "the supplementary provisions of the Fifth Schedule to this Act" there shall be substituted the words " Part III of Schedule 1 to the National Health Service Reorganisation Act 1973 ".
- 26 In section 41(1) of that Act (which imposes a duty on Executive Councils to provide general ophthalmic services), for the words from " Part II" to " specialist services " there shall be substituted the words " section 2 of the National Health Service Reorganisation Act 1973 to provide " and for the words " Executive Council" there shall be substituted the words " Area Health Authority ".
- 27 In section 42 of that Act (which provides for the constitution of a tribunal to enquire into cases of disqualification of practitioners), for the words " Executive Council" in each place where they occur and for the word " Councils " there shall be substituted respectively the words " Area Health Authority " and " Authorities ".
- 28 In section 43 of that Act (which provides that the Secretary of State may make arrangements for services where services are inadequate), for the words " Executive Council" in both places where they occur there shall be substituted the words " Area Health Authority ".
- 29 In section 47 of that Act (which provides for disputes to be referred to the Secretary of State), for the words " Executive Council " where they first occur there shall be

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- substituted the words " Area Health Authority " and the words from " or between " to " health centre " shall be omitted.
- 30 In section 54(6) of that Act (which provides for payments under the section to be made in accordance with regulations), after the word " otherwise " there shall be inserted the word " as ".
- 31 (1) In section 55 of that Act (which relates to the accounts of existing health authorities), in subsection (2) for the words from the beginning to " Council" there shall be substituted the words " Every Regional Health Authority, Area Health Authority, special health authority, all Special Trustees appointed in pursuance of section 29(1) of the National Health Service Reorganisation Act 1973 and the Dental Estimates Board ".
- (2) In subsection (3) of that section, for the words " Committee and Council" there shall be substituted the words " Authority, special health authority and all such Special Trustees " and at the end of the subsection there shall be inserted the words " ; and the accounts prepared and transmitted by an Area Health Authority in pursuance of this subsection shall include annual accounts of the Family Practitioner Committees established by the Authority and of any Community Health Council of which the district includes any part of the Authority's area. "
- (3) In subsection (4) of that section, for the words " Boards, Committees and Councils " there shall be substituted the words " Authorities, special authorities and Special Trustees ".
- 32 In section 57(1) of that Act (which confers default powers on the Secretary of State), for the words from "Regional Hospital Board" to " Executive Council" there shall be substituted the words " Regional Health Authority, Area Health Authority, special health authority, Family Practitioner Committee ", and after the words " this Act" there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".
- 33 In section 70 of that Act (which provides that the Secretary of State may hold an inquiry in connection with matters arising under that Act), after the words " this Act" there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".
- 34 In section 71 of that Act (which provides for the recovery of charges), after the words " this Act" in both places where they occur there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".
- 35 In section 72 of that Act (which applies the provisions of section 265 of the Public Health Act 1875 relating to the protection of members and officers of certain authorities), for the words from " Regional Hospital Board " to " Executive Council" there shall be substituted the words " Regional Health Authority, an Area Health Authority, a special health authority and a Family Practitioner Committee " and for the words " this Act" there shall be substituted the words " the National Health Service Acts 1946 to 1973 "
- 36 In section 74 of that Act (which relates to miscellaneous administrative matters), in paragraph (c) after the words " this Act" there shall be inserted the words " or the National Health Service Reorganisation Act 1973 " and the words " local health authorities and " shall be omitted.
- 37 In section 79(1) of that Act (interpretation), in the definition of " medicine", for the words " includes any prescribed chemical re-agent" there shall be substituted the

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words " includes such chemical re-agents as are included in a list for the time being approved by the Secretary of State for the purposes of section 38(1) of this Act " .

38 In Schedule 1 to that Act (which provides for the constitution of the Central Council and advisory committees), in paragraph 3 the words from " and the Central Council" onwards shall be omitted and in paragraph 4 after the word " fit " there shall be inserted the words " and as are approved by the Secretary of State " .

39 In Schedule 7 to that Act, in paragraph 3 (which provides for associations of Executive Councils to be consulted about the appointment of one member of the tribunal concerned with the removal of names from the list of persons undertaking to provide services under Part IV of that Act), for the words " Executive Councils" in both places there shall be substituted the words " Family Practitioner Committees " .

The Polish Resettlement Act 1947

40 In section 4(1) of the Polish Resettlement Act 1947 (which provides that the Secretary of State may provide health services for persons resettled in pursuance of that Act), after the word " 1946 " there shall be inserted the words " or the National Health Service Reorganisation Act 1973, ", for the words "local health authorities, executive councils " there shall be substituted the words " Area Health Authorities ", for the words " that Act" in the second place where they occur there shall be substituted the words " those Acts " and for the words " local health authorities " in the second place where they occur there shall be substituted the words " local social services authorities " .

The National Health Service (Scotland) Act 1947

41 After subsection (3) of section 37 of the National Health Service (Scotland) Act 1947 (of which paragraph (d) requires the payment of interest on compensation payable in pursuance of that section), there shall be inserted the following subsection—

“(3A) Regulations under subsection (3)(d) of this section may provide for the interest payable on any amount of compensation to be paid at a date later than the date on which the compensation is paid.”

42 (1) For subsection (1) of section 40 of that Act (which relates to arrangements for pharmaceutical services), there shall be substituted the following subsection—

“(1) It shall be the duty of every Health Board to make in accordance with regulations arrangements as respects its area for the supply to persons who are in that area of—

- (a) proper and sufficient drugs and medicines and listed appliances which are ordered for those persons by a medical practitioner in pursuance of his functions in the health service, the health service for England and Wales, the Northern Ireland health service or the armed forces of the Crown (excluding forces of a Commonwealth country and forces raised in a colony) ; and
- (b) listed drugs and medicines which are ordered for those persons by a dental practitioner in pursuance of such functions ; and the services provided in accordance with the arrangements are in this Act referred to as " pharmaceutical services " .

In this subsection—

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" the health service " means the service established by section 1 of this Act;

" listed " means included in a list for the time being approved by the Secretary of State for the purposes of this subsection ; and

" the health service for England and Wales " and " the Northern Ireland health service " mean respectively the health service established in pursuance of section 1 of the National Health Service Act 1946 or any service provided in pursuance of Article 4(a) of the Health and Personal Social Services (Northern Ireland) Order 1972.”

(2) In subsection (2) of that section for the words from " receiving general medical services " to " dental practitioner rendering those services" there shall be substituted the words " for whom they are ordered as mentioned in the last foregoing subsection to receive the drugs, medicines and appliances there mentioned ".

43 In section 80(1) of that Act (interpretation), in the definition of "medicine", for the words "includes any prescribed chemical re-agent" there shall be substituted the words " includes such chemical re-agents as are included in a list for the time being approved by die Secretary of State for the purposes of section 40(1) of this Act ".

The National Assistance Act 1948

44 In section 21(7) of the National Assistance Act 1948 (which provides among other things that a local authority may make arrangements for the provision of health services on premises in which accommodation is provided for persons under that section), for paragraph (c) there shall be substituted the following paragraph—

“(c) arrange with a Regional Health Authority, Area Health Authority or special health authority for the provision on the premises by the authority of services under the National Health Service Acts 1946 to 1973 ;”

45 In section 24(6) of that Act (which relates to the determination of the ordinary residence of a patient), for the words from " forming " to " 1946 " there shall be substituted the words " vested in the Secretary of State ".

46 In section 29 of that Act (which provides for the local authority to make welfare arrangements for handicapped persons), in subsection (6)(b) after the word " 1946 " there shall be inserted the words " the National Health Service Reorganisation Act 1973 ".

47 In section 47 of that Act (which provides that persons in need of care and attention may be removed to suitable premises), in subsection (8) after the word " 1946" there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".

The National Service Act 1948

48 In paragraph 3 of Schedule 1 to the National Service Act 1948 (which includes among the categories of persons not liable for service certain persons suffering from mental disabilities), for the words "Regional Hospital Board" there shall be substituted the words " Regional Health Authority or of an Area Health Authority of which the area is in Wales " and for the words from " local health authority ", where they first occur, onwards there shall be substituted the words " council which

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is a local authority for the purposes of the Local Authority Social Services Act 1970 and so provided in pursuance of section 12 of the Health Services and Public Health Act 1968 or is otherwise receiving care from such a council in pursuance of that section ".

The Recall of Army and Air Force Pensioners Act 1948

- 49 In paragraph 2 of the Schedule to the Recall of Army and Air Force Pensioners Act 1948 (which includes among the categories of persons not liable to be recalled certain persons suffering from mental disabilities), for the words " Regional Hospital Board " there shall be substituted the words " Regional Health Authority, of an Area Health Authority of which the area is in Wales, of a special health authority or of a Health Board, ".

The National Health Service (Amendment) Act 1949

- 50 In section 8 of the National Health Service (Amendment) Act 1949 (which relates to the removal of doubts as to the operation of section 35 of the principal Act), after the words "Executive Council" there shall be inserted the words " or an Area Health Authority ".
- 51 In section 13(1) of that Act (which provides for the reference to arbitration of disputes as to conditions of service of persons employed in health services), after the words " the Act of 1946 " there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".
- 52 (1) In section 18(1) of that Act (which provides for the superannuation of officers of voluntary hospitals), for the words " Regional Hospital Boards" there shall be substituted the words " Area Health Authorities ".
- (2) In subsection (4) of that section, for the words " a Regional Hospital Board or the Board of Governors of a teaching hospital" there shall be substituted the words " the Secretary of State " and for the words " hospital and specialist services" there shall be substituted the words " services under the National Health Service Acts 1946 to 1973 ".
- 53 In section 23(1) of that Act (which provides that voluntary organisations may transfer property to a local health authority), for the words " a local health authority" and the words " the authority " there shall be substituted the words " the Secretary of State ".
- 54 In section 25(2) of that Act (which provides that no payment shall be made under subsection (1) of that section to a medical practitioner in respect of an examination carried out as part of his duty to provide general medical services for the person examined or as part of his duty as an officer of a Regional Hospital Board or a Board of Governors), for the words " Regional Hospital Board or a Board of Governors of a teaching hospital" there shall be substituted the words " Regional Health Authority, an Area Health Authority or a special health authority ".
- 55 In section 28 of that Act (which relates to the recovery of expenses from in-patients engaged in remunerative employment), for the words " hospital and specialist services" there shall be substituted the words " services under the National Health Service Acts 1946 to 1973 ".

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The Shops Act 1950

- 56 In section 22(1) of the Shops Act 1950 (which specifies requirements to be complied with in respect of the employment of persons in the business of a shop on Sundays), in paragraph (v) of the proviso for the words " Executive Council" there shall be substituted the words " Area Health Authority ".
- 57 In Schedule 5 to that Act (which specifies transactions for the purposes of which a shop may be open on Sundays), in paragraph 1(g) for the words " Executive Council" there shall be substituted the words " Area Health Authority ".

The National Health Service Act 1951

- 58 (1) In section 1 of the National Health Service Act 1951 (which authorises charges for certain dental and optical appliances), in subsection (1) for the words " Part II or Part IV of those Acts respectively" there shall be substituted the words " the National Health Service Acts 1946 to 1973 ".
- (2) In subsection (2) of that section, for the words " under the said Part II " there shall be substituted the words " , otherwise than under Part IV of the said Acts of 1946 and 1947 ".
- (3) In subsection (3)(a) of that section, for the words "the said Part II" where they first occur there shall be substituted the words " the National Health Service Acts 1946 to 1973 otherwise than under Part IV of the said Act of 1946 " and for those words in the second place where they occur there shall be substituted the words " those Acts ".
- (4) In subsection (4) of that section for the words " Executive Council" there shall be substituted the words " Area Health Authority or Family Practitioner Committee ".
- 59 (1) In the Schedule to that Act, at the end of the definition of " children's glasses " there shall be inserted the words " and which are supplied for a person who was, at the time of the examination or testing of sight leading to the supply of the glasses or of the first such examination or testing, under sixteen years of age or receiving full-time instruction in a school within the meaning of the Education Act 1944 or the Education (Scotland) Act 1962 ".
- (2) In that Schedule, in the definition of " current specified cost", for the words " Part II of those Acts respectively" there shall be substituted the words " the National Health Service Acts 1946 to 1973 otherwise than under Part IV of the said Act of 1946 ".

The Midwives Act 1951

- 60 In section 11 of the Midwives Act 1951 (which prohibits unqualified persons from acting for gain as maternity nurses in any area on and after the date on which that section is applied to the area by an order under subsection (2) of that section), subsection (2) and the words from " on or after " to " therein " in subsection (1) shall cease to have effect
- 61 In section 23(2) of that Act (which provides that the Central Midwives Board may apportion between local health authorities any deficit disclosed in its annual accounts), for the words from " the local " to " being " there shall be substituted the words " Regional Health Authorities and Area Health Authorities of which the areas are in Wales, in such proportions as may be determined by the Secretary of State ".

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- 62 Sections 26 and 27 of that Act (which authorise a local supervising authority to aid the training of midwives and to provide residential accommodation for pupil midwives) shall cease to have effect.
- 63 In section 29(2) of that Act (which provides for the payment of expenses of a prosecution for an offence under the Act), for the words from " council" to " borough " there shall be substituted the words " Regional Health Authority or the Area Health Authority of which the area is in Wales for the region or area respectively ".
- 64 In section 31 of that Act (which defines local supervising authority for the purposes of the Act), for the words " Every local health authority throughout England and Wales" there shall be substituted the words " A Regional Health Authority and an Area Health Authority of which the area is in Wales ", and for the words " area of the said authority" there shall be substituted the words " region or area of the authority ".

The National Health Service Act 1952

- 65 (1) In section 1(1) of the National Health Service Act 1952 (which authorises charges for certain drugs, medicines and appliances), for the words from " as part" to " Part II" there shall be substituted the words " under the National Health Service Acts otherwise than under Part IV ".
- (2) In section 1(2)(c) of that Act (which provides that no charge is to be made under that section for the supply of an appliance for a young person), after the word "appliance", there shall be inserted the words " , otherwise than in pursuance of section 4 of the National Health Service Reorganisation Act 1973 ".
- 66 (1) In subsection (4) of section 7 of that Act (which among other things relates to the making of charges for medicines supplied in connection with free medical treatment for certain pupils), for the words from the beginning to " education authorities" there shall be substituted the words " For the purposes of subsections (1) and (2)(a) of section 3 of the National Health Service Reorganisation Act 1973 (which provides for the Secretary of State ".
- (2) In subsection (6) of that section (supplementary and consequential provisions), for the words from " Regional" to " Council " there shall be substituted the words " Regional Health Authority, Area Health Authority or Family Practitioner Committee ".
- 67 In section 8(1) of that Act (interpretation), for the word " 1951 " where it first occurs there shall be substituted the word " 1973 ".

The Landlord and Tenant Act 1954

- 68 In section 57(6) of the Landlord and Tenant Act 1954 (which modifies on grounds of public interest certain rights of a tenant where property belongs to, or is held for the purposes of, a government department or specified other bodies), for the words from " Board of" to " 1946 " there shall be substituted the words " Regional Health Authority, Area Health Authority or special health authority "and for the words " that Act" there shall be substituted the words " the National Health Service Act 1946 and the National Health Service Reorganisation Act 1973 ".

The Medical Act 1956

- 69 (1) In section 16 of the Medical Act 1956, in subsection (1) (which provides that the expression "institution" includes a health centre only if it is a centre provided under section 21 of the principal Act, section 15 of the National Health Service (Scotland) Act 1947, or section 17 of the Health Services Act (Northern Ireland) 1948), for the words from " section 21 " onwards there shall be substituted the words " section 2 of the National Health Service Reorganisation Act 1973, section 2 of the National Health Service (Scotland) Act 1972, or Article 5 of the Health and Personal Social Services (Northern Ireland) Order 1972 ".
- (2) In subsection (2) of that section (which provides that employment in a health centre shall not be treated as employment for the purposes of section 15 of that Act unless it is employment by a medical practitioner in the provision of general medical services under Part IV of the principal Act, Part IV of the said Act of 1947 or Part II of the said Act of 1948, or employment in the provision of such out-patient services as are mentioned in the sections referred to in subsection (1) of that section), in paragraph (a) for the words from " said Act of 1946 " to " 1948 " there shall be substituted the words " National Health Service Act 1946, Part IV of the National Health Service (Scotland) Act 1947 or Part VI of the said Order of 1972 " and in paragraph (b) for the words from " such outpatient ", where they first occur, onwards there shall be substituted the words " the services of specialists or other services provided for out-patients in a health centre provided as mentioned in the last foregoing subsection ".

The Nurses Act 1957

- 70 In the Nurses Act 1957, for the words " area nurse-training committee ", " an area nurse-training committee " and " area nurse-training committees " wherever they occur there shall be substituted respectively the words " regional nurse-training committee ", " a regional nurse-training committee " and " regional nurse-training committees ".
- 71 (1) In section 11 of that Act (which establishes nurse-training committees for hospital areas), in subsection (1) for the words "hospital area" there shall be substituted the words " region and for Wales " and for the word " area " in the third place where it occurs there shall be substituted the words " region or to Wales ".
- (2) In subsection (2) of that section (which establishes nurse-training committees for hospital areas), for the words "hospital area " there shall be substituted the words " region or for Wales ", for the word " area " in paragraphs (a), (b), (c)(iii) and (d) there shall be substituted the words " region or in Wales " and for sub-paragraphs (i) and (ii) of paragraph (c) there shall be substituted the following sub-paragraph—
- “(i) Area Health Authorities in the region or in Wales and special health authorities exercising functions there,”and.
- 72 In section 12(1) of that Act (which provides that the General Nursing Council may adopt experimental schemes for the training of nurses), the words " situated in such hospital area " shall be omitted.
- 73 In section 13(1) of that Act (which provides for expenditure by a Hospital Management Committee or Board of Governors on the training of nurses), for the words from " Hospital Management " to " area " in the second place where it occurs there shall be substituted the words " Regional Health Authority, Area Health Authority or special health authority ", for the words from " approved " to "for the

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area " there shall be substituted the words " approved by a regional nurse-training committee " and for the words " section 54 of the National Health Service Act 1946 " there shall be substituted the words " section 47 of the National Health Service Reorganisation Act 1973 ".

- 74 In section 14 of that Act (which provides for contributions by a nurse-training committee towards the expenses of an authority or person engaged in the training of nurses), for the words " hospital area " and the word " area " in the third place where it occurs there shall be substituted respectively the words " region or for Wales " and " region or in Wales " and for the words from " Hospital Management Committee " to " teaching hospital " there shall be substituted the words " Regional Health Authority, Area Health Authority or special health authority ".
- 75 In section 16 of that Act (which provides that a dispute between a nurse-training committee and a Hospital Management Committee or Board of Governors shall be determined by the General Nursing Council), for the words " hospital area " there shall be substituted the words " region or for Wales " and for the words from " Hospital Management Committee " to " in the area " there shall be substituted the words " Regional Health Authority, Area Health Authority or special health authority ".
- 76 In section 33 of that Act (interpretation), after the definition of " prescribed " there shall be inserted the following definition—
 “" region " means a region determined for a Regional Health Authority in pursuance of the National Health Service Reorganisation Act 1973 ;”.
- 77 In Schedule 1 to that Act (which provides for the constitution of the General Nursing Council), in paragraph 3(e) for the words " section 25 of the National Health Service Act 1946 " there shall be substituted the words " section 2 of the National Health Service Reorganisation Act 1973 of attending persons in their homes "
- 78 (1) In Schedule 2 to that Act (which provides for the membership of nurse-training Committees), in paragraph 1 for the words " hospital area " there shall be substituted the words " region and the regional nurse-training committee for Wales " and in sub-paragraph (a) of that paragraph for the words " Regional Hospital Board for the area " there shall be substituted the words " Regional Health Authority for the region or in the case of the committee for Wales by the Secretary of State ".
- (2) In paragraph 1(b) of that Schedule for the words from " Boards " onwards there shall be substituted the words " Area Health Authorities of which the areas are in the region or, as the case may be, in Wales ; ".
- (3) For sub-paragraph (f) of paragraph 1 of that Schedule there shall be substituted the following sub-paragraph—
 “(f) persons appointed by the Regional Health Authority after consultation with the local education authorities in the region or, in the case of the committee for Wales, by the Secretary of State after consultation with the local education authorities in Wales ;”.
- (4) For sub-paragraph (g) of paragraph 1 of that Schedule there shall be substituted the following sub-paragraph—
 “(g) persons appointed by the Regional Health Authority after consultation with the university or universities with which the Authority is associated or, in the case of the committee for Wales, by the Secretary of State after consultation with the university or universities with which Wales is associated ;”

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and paragraph 1(e) of that Schedule shall be omitted.

- (5) In paragraph 2(a) of that Schedule for the words "hospital area " there shall be substituted the words " region and the regional nurse-training committee for Wales ".
- (6) In paragraph 4(1) of that Schedule for the words "Regional Hospital Board for a hospital area" there shall be substituted the words " Regional Health Authority for a region and in Wales the duty of the Secretary of State ", for the word " area " in the third place where it occurs there shall be substituted the words " region and for Wales, respectively " and for the word " Board" in the second place where it occurs there shall be substituted the word " Authority ".

The House of Commons Disqualification Act 1957

- 79 (1) In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies bodies of which all members are disqualified under that Act), as it applies to the House of Commons of the Parliament of the United Kingdom, there shall be inserted at the appropriate points in alphabetical order—
- (a) the entry " The National Health Service Staff Commission " ;
 - (b) the entry "The Welsh National Health Service Staff Commission ".
- (2) In Part III of Schedule 1 to that Act (which specifies offices of which the holders are disqualified under that Act), as it applies to the House of Commons of the Parliament of the United Kingdom, there shall be inserted at the appropriate points in alphabetical order—
- (a) the entry " Chairman in receipt of remuneration of any Regional Health Authority, Area Health Authority or Area Health Authority (Teaching) or of any special health authority ";
 - (b) the entry " Health Service Commissioner for England " ; and
 - (c) the entry " Health Service Commissioner for Wales ";
- and in the Part substituted for the said Part III by Schedule 3 to that Act in relation to the Senate and House of Commons of Northern Ireland there shall be inserted at the appropriate places in alphabetical order the entries specified in paragraphs (b) and (c) above.

The Dentists Act 1957

- 80 In section 42(4) of the Dentists Act 1957 (which relates to the meaning of national and local authority health services), the words " and local authority " shall be omitted and for paragraphs (a) to (d) there shall be substituted the words " of services under section 2 or 3 of the National Health Service Reorganisation Act 1973 or section 2, 5 or 6 of the National Health Service (Scotland) Act 1972 or Article 5, 8 or 9 of the Health and Personal Social Services (Northern Ireland) Order 1972 and services at health centres provided under the said sections 2 or Article 5 ".

The Opticians Act 1958

- 81 In section 21(2)(b) of the Opticians Act 1958 (which provides that the restrictions on the sale of optical appliances under subsection (1) of that section apply if the supply was effected in pursuance of arrangements made with any body on whom functions are conferred by Parts II or IV of the principal Act, Parts II or IV of the National Health Service (Scotland) Act 1947 or Parts II or HI of the Health Services Act (Northern Ireland) 1948), after the word " 1946," there shall be inserted the

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words " the National Health Service Reorganisation Act 1973, " after the word " 1947," there shall be inserted the words " the National Health Service (Scotland) Act 1972, " and for the words " Part II or Part III of the Health Services Act (Northern Ireland), 1948 " there shall be substituted the words " the Health and Personal Social Services (Northern Ireland) Order 1972 " ; and the words " Part II or " in both places where they occur shall be omitted.

The Public Records Act 1958

- 82 In Schedule 1 to the Public Records Act 1958 (which determines what are public records for the purposes of that Act), in Part I of the Table in that Schedule, in the entry relating to the Department of Health and Social Security (which, before its amendment by Article 5(4)(b) of The Secretary of State for Social Services Order 1968, was the entry relating to the Ministry of Health) before the words " Welsh Board of Health " there shall be inserted the words—

“records of property passing to Regional or Area Health Authorities or special health authorities under sections 23 to 26 of the National Health Service Reorganisation Act 1973.

records of property held by a Regional or Area Health Authority or special health authority under section 21 or 22 of the said Act of 1973”.

The Mental Health Act 1959

- 83 In section 3(1) of the Mental Health Act 1959 (which provides for the constitution of Mental Health Review Tribunals for areas of Regional Hospital Boards), for the words from " area " to " 1946 " there shall be substituted the words " region for which a Regional Health Authority is established in pursuance of the National Health Service Reorganisation Act 1973, and for Wales ".
- 84 Without prejudice to the operation of section 41(1) of this Act, in section 14(3) of that Act (under which the registration authority, in relation to a home, is the council of the county or county borough in which the home is situated), for the words from "in relation" to "situated" there shall be substituted the words " means the Minister ".
- 85 In section 17(1) of that Act (which among other things relates to the inspection of records kept in respect of nursing homes in accordance with byelaws), for the words from " accordance with byelaws " onwards there shall be substituted the words " pursuance of section 41(2)(b) of the National Health Service Reorganisation Act 1973 ".
- 86 In section 28(2) of that Act, for the words "a local health authority " there shall be substituted the words " the Secretary of State ".
- 87 In section 37(2) of that Act (which provides that where an application is made to a regional hospital board to make an order for the discharge of a patient, certain persons there specified may visit die patient), for the words "regional hospital board" there shall be substituted the words " Regional Health Authority, Area Health Authority or a special health authority ".
- 88 (1) In section 47 of that Act, in subsection (3) (which specifies the authorities or persons who may make orders for the discharge of a patient), for the words " regional hospital board " there shall be substituted the words " Regional Health Authority,

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Area Health Authority or special health authority " and for the word "board" there shall be substituted the word " authority ".

- (2) At the end of subsection (4) of that section (which provides that the powers conferred by that section on an authority may be exercised by three or more members of the authority), there shall be inserted the words " or by three or more members of a committee or sub-committee of that authority or body which has been authorised by them in that behalf ".
- 89 In section 56(3) of that Act (which among other things provides that regulations may determine the manner in which functions of regional hospital boards are to be exercised), for the words " or regional hospital boards" there shall be substituted the words " Regional Health Authorities, Area Health Authorities or special health authorities ".
- 90 In section 59(1) of that Act, in paragraph (a) of the definition of " the managers ", for the words from " for hospital" onwards there shall be substituted the words " as a hospital by or on behalf of the Secretary of State under the National Health Service Acts 1946 to 1973, the Area Health Authority or special health authority responsible for the administration of the hospital ".
- 91 In sections 62(1) and 72(4) of that Act (which provide that at least one of the medical practitioners giving evidence or making a report under those sections shall be a practitioner approved by a local health authority for the purposes of section 28 of that Act), for the words " a local health authority " there shall be substituted the words " the Secretary of State ".
- 92 In section 128(1)(b) of that Act (which makes it an offence for a man to have sexual intercourse with a woman who is a mentally disordered patient and is in his custody in pursuance of arrangements under the National Health Service Act 1946 or the National Assistance Act 1948), after the word " 1948 " there shall be inserted the words " or the National Health Service Reorganisation Act 1973, ".
- 93 In section 132 of that Act (which provides that Regional Hospital Boards shall notify local health authorities of hospitals which have arrangements for the reception of urgent cases requiring treatment for mental disorder), for the words " Regional Hospital Board " there shall be substituted the words " Regional Health Authority and, in Wales, every Area Health Authority ", for the word " area " in the second place where it occurs there shall be substituted the words " region or area, as the case may be, " and for the word " Board " in both places where it occurs there shall be substituted the word " Authority ".
- 94 In section 133(2) of that Act (which provides that the making of payments to persons under that section shall be included as services provided under Part II of the National Health Service Act 1946), after the word " 1946 " there shall be inserted the words " and the National Health Service Reorganisation Act 1973 " and for the words " Part II of that Act" there shall be substituted the words " those Acts ".
- 95 In section 147(1) of that Act (interpretation)—
- (a) in the definition of " hospital", for the words " for hospital and specialist services under Part II of that Act" there shall be substituted the words " as a hospital by or on behalf of the Secretary of State under the National Health Service Acts 1946 to 1973 ";
 - (b) in the definition of "mental welfare officer", for the words "local health authority" there shall be substituted the words " local social services authority "; and

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- (c) in the definition of "special hospital", for the words "meaning assigned to it by Part VII of this Act" there shall be substituted the words "same meaning as in the National Health Service Reorganisation Act 1973".

The Radioactive Substances Act 1960

- 96 In section 14(1) of the Radioactive Substances Act 1960 (which provides that Hospital Management Committees or Boards of Governors shall be treated as persons for the purposes of provisions of that Act dealing with the disposal of radioactive waste notwithstanding that their functions are exercised on behalf of the Secretary of State), for the words "a Hospital Management Committee" and "Hospital Management Committee" there shall be substituted respectively the words "an Area Health Authority" and "Area Health Authority"; and the words "or is a teaching hospital within the meaning of the National Health Service Act, 1946" and the words ", or (in the case of a teaching hospital) the Board of Governors," shall be omitted.

The Public Health Laboratory Service Act 1960

- 97 In section 5(2) of the Public Health Laboratory Service Act 1960 (which defines "the public health laboratory service"), for the word "bacteriological" there shall be substituted the word "microbiological".
- 98 In the Schedule to that Act (which provides for the constitution of the Public Health Laboratory Service Board), in paragraph 2 for the word "bacteriological" there shall be substituted the word "microbiological", in paragraph 3(b) for the word "bacteriologists" there shall be substituted the word "microbiologists" and for paragraph 3(d) there shall be substituted the following paragraph—
- “(d) not less than one person with experience of service in hospitals,”and.

The Public Bodies (Admission to Meetings) Act 1960

- 99 In paragraph 1 of the Schedule to the Public Bodies (Admission to Meetings) Act 1960 (which specifies the bodies in England and Wales to which that Act applies), for paragraph (f) there shall be substituted the following paragraph—
- “(f) Regional Health Authorities, Area Health Authorities and Community Health Councils and, if the order establishing a special health authority so provides, that authority; and paragraph (g) (which relates to Executive Councils) shall be omitted.”

National Health Service Act 1961

- 100 In section 1(4) of the National Health Service Act 1961 (which provides for exemption from certain charges for spectacles), for the words from "Part II" to "1946" there shall be substituted the words "the National Health Service Acts 1946 to 1973".
- 101 In section 3(1) of that Act (interpretation), in paragraph (a) of the definition of "the relevant time", for the words "Part II of the Act of 1946" there shall be substituted the words "the National Health Service Acts 1946 to 1973 otherwise than under Part IV of the Act of 1946" and for the words "Part II or Part IV thereof" there shall be substituted the words "those Acts"; and in paragraph (b) of that definition

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for the words " either of the said Acts " there shall be substituted the words " the Act of 1946 ".

The Health Visiting and Social Work (Training) Act 1962

- 102 (1) In paragraph 3 of Schedule 1 to the Health Visiting and Social Work (Training) Act 1962 (which specifies the persons by whom members of the Council for Education and Training of Health Visitors are to be appointed), in sub-paragraph (a) for the word " fourteen " there shall be substituted the word " twenty ".
- (2) For sub-paragraph (c) of paragraph 3 of that Schedule there shall be substituted the following sub-paragraph—
- “(c) such number as the Secretary of State may determine by such bodies as he may think fit, being bodies representative of local authorities in England and Wales, and in this sub-paragraph " local authorities" means authorities established by or under the Local Government Act 1972 or the London Government Act 1963.”
- (3) For sub-paragraph (f) of paragraph (3) of that Schedule there shall be substituted the following sub-paragraph—
- “(f) such number as the Secretary of State may determine by such bodies as he may think fit, being bodies representative of local authorities in Scotland, and in this sub-paragraph " local authorities" means local authorities within the meaning of the Local Government (Scotland) Act 1947;”
- and sub-paragraphs (d), (e), (g) and (h) of that paragraph shall be omitted.
- (4) In paragraphs 5(b) and 10 of that Schedule for the words " the Society of Medical Officers of Health" there shall be substituted the words " bodies appearing to the Health Ministers to represent specialists in community medicine ".

The London Government Act 1963

- 103 Subsections (1) to (6) of section 32 of the London Government Act 1963 (which relate to the co-ordination of school and other health services in inner London) shall cease to have effect.

The Emergency Laws (Re-enactment and Repeals) Act 1964

- 104 In section 15 of the Emergency Laws (Re-enactment and Repeals) Act 1964 (interpretation), for the words " 1946 to 1961 " there shall be substituted the words " 1946 to 1973 ".

The Public Health (Notification of Births) Act 1965

- 105 In section 1(2) of the Public Health (Notification of Births) Act 1965 (which amends section 203(2) of the Public Health Act 1936 and imposes an obligation on welfare authorities to supply pre-paid addressed envelopes containing the form of notice to be given under that section), for the words " welfare authorities " there shall be substituted the words " Area Health Authorities ".

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The Redundancy Payments Act 1965

106 In Schedule 3 to the Redundancy Payments Act 1965 (which specifies bodies the employees of which are excluded from the general provisions as to redundancy payments provided for in section 1 of that Act), for paragraph 1 there shall be substituted the following paragraph—

“1 A Regional Health Authority, Area Health Authority, special health authority, Health Board or the Common Services Agency for the Scottish Health Service.”

The Building Control Act 1966

107 In section 5(1) of the Building Control Act 1966 (which among other things provides that any work carried out at the expense of any body corporate constituted under section 11 of the principal Act shall be exempt from control under the said Act of 1966), in paragraph (h) for the words " constituted under section 11 of the National Health Service Act 1946" there shall be substituted the words " established in pursuance of section 5 of the National Health Service Reorganisation Act 1973 ".

The General Rate Act 1967

108 In section 45 of the General Rate Act 1967 (which provides for relief from rates in respect of facilities for disabled persons), for the words " local health authority " in paragraph (b) there shall be substituted the words " local social services authority ".

The Parliamentary Commissioner Act 1967

109 In Schedule 3 to the Parliamentary Commissioner Act 1967 (which specifies matters which are not subject to investigation by the Commissioner under that Act), in paragraph 8 for the words "Regional Hospital Board, Board of Governors of a Teaching Hospital, Hospital Management Committee or Board of Management" there shall be substituted the words " Regional Health Authority, an Area Health Authority, a special health authority, a Family Practitioner Committee, a Health Board or the Common Services Agency for the Scottish Health Service ".

The Superannuation (Miscellaneous Provisions) Act 1967

110 In subsection (1) of section 7 of the Superannuation (Miscellaneous Provisions) Act 1967 (which provides for an extension of superannuation provisions of the National Health Service Acts), in paragraph (a) for the words " Act 1946 " there shall be substituted the words " Acts 1946 to 1973 " and in paragraph (b) for the words "Act of 1946" there shall be substituted the words " Acts of 1946 to 1973 ".

The Leasehold Reform Act 1967

111 (1) In subsection (5) of section 28 of the Leasehold Reform Act 1967 (which includes Regional Hospital Boards, Hospital Management Committees and Boards of Governors as bodies to which the provisions of that section relating to the retention and resumption of land required for public purposes apply), for paragraph (d) there shall be substituted the following paragraph—

“(d) to any Regional Health Authority, any Area Health Authority and any special health authority”; and.

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(2) In subsection (6) of that section (which in the case of a Regional Hospital Board, Hospital Management Committee or Board of Governors substitutes the purposes of the National Health Service Act 1946 for the purposes of any body in the definition of the expression "relevant development"), for paragraph (c) there shall be substituted the following paragraph—

“(c) in the case of a Regional Health Authority, Area Health Authority or special health authority, the purposes of the National Health Service Acts 1946 to 1973 shall be substituted for the purposes of the body.”

The Health Services and Public Health Act 1968

- 112 (1) In sections 1(1) and 2(1) of the Health Services and Public Health Act 1968 (which relate to the treatment of resident and non-resident private patients at hospitals providing hospital and specialist services), for the words "providing hospital and specialist services" there shall be substituted the words "or group of hospitals vested in him or of the hospitals vested in him in a particular area" and after the words "the hospital" there shall be inserted the words "or hospitals in question".
- (2) In section 1(2) and (3) of that Act, for the words "providing hospital and specialist services" there shall be substituted the words "vested in the Secretary of State".
- 113 In section 17(1) of that Act (which provides that "supplementary ophthalmic services" shall be referred to as "general ophthalmic services"), for the words "Executive Councils" there shall be substituted the words "Area Health Authorities".
- 114 In section 28(2) of that Act (under which regulations may make provision generally with respect to audit under section 55(2) of the principal Act), for the words "the said subsection (2)" there shall be substituted the words "section 55(2) of the 1946 Act".
- 115 In section 29(1) of that Act (which provides for the control of the making of payments by or on behalf of Regional Hospital Boards and certain other existing health authorities), for the words from "Regional" to "1946 Act" there shall be substituted the words "Regional Health Authorities, Area Health Authorities, special health authorities, Family Practitioner Committees, Community Health Councils".
- 116 In section 30(1) of that Act (which provides for the grant of certificates of exemption from prescription charges), for the words from "as part of" to "Part II" there shall be substituted the words "under the National Health Service Acts 1946 to 1973 otherwise than under Part IV".
- 117 In section 31 of that Act (under which the Secretary of State may allow persons to use, on terms which may include the payment of charges, any services provided in connection with hospital and specialist services and may for that purpose provide extended services), for the words from "any services the provision" to "services if" there shall be substituted the words "any services provided by virtue of the National Health Service Acts 1946 to 1973 and may provide the services in question to an extent greater than that necessary apart from this section if".
- 118 In section 32 of that Act (under which the Secretary of State may sell or otherwise dispose of goods he produces in connection with the hospital and specialist services and may for that purpose produce goods in excess of those needed for those services), for the words "hospital and specialist services" there shall be substituted

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- the words " services under the National Health Service Acts 1946 to 1973 " and for the words " the 1946 Act" in both places where they occur there shall be substituted the words " the National Health Service Acts 1946 to 1973 ".
- 119 In section 36(1) of that Act (which provides that the Secretary of State may pay allowances and remuneration to members of certain bodies), in paragraph (b) for the words " 1946 Act" there shall be substituted the words " National Health Service Acts 1946 to 1973 ".
- 120 In section 40(1) of that Act (which provides that the Secretary of State may make arrangements for the accommodation of persons displaced in the course of development for purposes of the Acts relating to the national health service or to mental health), after the words "Mental Health Act 1959 " there shall be inserted the words " or the National Health Service Reorganisation Act 1973 ".
- 121 At the end of section 45(4)(b) of that Act (which prohibits a local authority when making arrangements for the welfare of old people from making available accommodation or services required to be provided under the National Health Service Act 1946), after the words " this Act" there shall be added the words " or the National Health Service Reorganisation Act 1973 ".
- 122 (1) In section 48 of that Act (which provides for the reporting of cases of notifiable diseases and food poisoning to local authorities), for subsection (2) there shall be substituted the following subsection—
- (2) The officer who receives the certificate aforesaid shall, on the day of its receipt (if possible) and in any case within forty-eight hours after its receipt, send a copy of the certificate—
- (a) to the Area Health Authority within whose area are situate the premises whose address is specified in the certificate by virtue of paragraph (a) of the foregoing subsection; and
 - (b) if the certificate is given with respect to a patient in a hospital who came there from premises outside the district of the local authority within whose district the hospital is situate and the certificate states that the patient did not contract the disease or the poisoning in the hospital—
 - (i) to the proper officer for the district within which the premises from which the patient came are situate, and
 - (ii) to the Area Health Authority for the area in which those premises are situate if that Authority is not responsible for the administration of the hospital, and
 - (iii) to the proper officer of the relevant port health authority constituted in pursuance of section 2 of the Public Health Act 1936 if those premises were a ship or hovercraft situate within the port health district for which that authority is constituted.
- (2) Subsection (3) of that section shall be omitted.
- 123 In section 62(1) of that Act (which provides for references to vessels in the Public Health Act 1936 and references to ships in the Food and Drugs Act 1955 to include references to hover vehicles), for the words from " hover vehicles" to " air" there shall be substituted the words " hovercraft within the meaning of the Hovercraft Act 1968 ".
- 124 (1) In section 63 of that Act (which provides for the instruction of officers of hospital authorities and other persons employed in activities connected with health welfare), in subsection (1)(a) for the words from " Regional" to " teaching hospital" there shall

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- be substituted the words " Regional Health Authority, Area Health Authority or a special health authority " .
- (2) In subsection (1)(b) of that section for the words from " specified " to " Treasury" there shall be substituted the words " determined by him " .
- (3) In subsection (2)(a) of that section for the words "county, county borough " there shall be substituted the words " non-metropolitan county, metropolitan district " .
- (4) In subsection (2)(b) of that section for the words " Executive Council" there shall be substituted the words " Area Health Authority " .
- (5) In subsection (8) of that section at the end of the definition of " the relevant enactments " there shall be inserted the words " and the National Health Service Reorganisation Act 1973 " .
- 125 (1) In section 64 of that Act (which provides that the Secretary of State may give financial assistance to voluntary organisations), at the end of subsection (3)(a) there shall be inserted the words " the National Health Service Reorganisation Act 1973 " .
- (2) In subsection (3)(b) of that section for the words "county, county borough " there shall be substituted the words " non-metropolitan county, metropolitan district " and for the words " Executive Council" there shall be substituted the words " Area Health Authority " .
- 126 In section 65 of that Act (which provides that local authorities may give financial and other assistance to certain voluntary organisations), at the end of subsection (3) (b) there shall be inserted the words " the National Health Service Reorganisation Act 1973 " .
- 127 In section 70(1) of that Act (which provides that a copy of a notice given by a keeper of a common lodging house under section 242 of the Public Health Act 1936 shall be sent by the local authority to the local health authority), for the words from the beginning to " receives " there shall be substituted the words " The local authority within whose district a common lodging house is situate shall, on the day on which they receive "and for the words " local health authority " in the second place where they occur there shall be substituted the words " Area Health Authority " .

The Medicines Act 1968

- 128 (1) In section 55(2)(b) of the Medicines Act 1968 (which provides that the restrictions imposed by that Act on the supply of a medicinal product do not apply where the product is delivered or administered by a midwife and supplied in pursuance of arrangements made by a local health authority), for the words from " a local health authority" onwards there shall be substituted the words " the Secretary of State or the Ministry of Health and Social Services for Northern Ireland. " .
- (2) In section 131(5) of that Act (which provides that for the purposes of that section the provision of services by the Secretary of State under the principal Act shall be treated as the carrying on of a business by the Secretary of State), for the words "Act 1946 " there shall be substituted the words " Acts 1946 to 1973 " and for the words "Health Services Acts (Northern Ireland) 1948 to 1967" there shall be substituted the words " Health and Personal Social Services (Northern Ireland) Order 1972 " .
- (3) In section 132(1) of that Act (interpretation), in the definition of " health centre" for the words " section 21 of the National Health Service Act 1946" there shall be substituted the words " section 2 of the National Health Service Reorganisation Act

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1973 " and for the words " section 17 of the Health Services Act (Northern Ireland) 1948 " there shall be substituted the words " Article 5 of the Health and Personal Social Services (Northern Ireland) Order 1972. "

The Nurses Act 1969

- 129 In section 6 of the Nurses Act 1969 (which provides that allowances may be paid to members of an area nurse-training committee or (in Scotland) a regional nurse-training committee), the words from the beginning to " (in Scotland) " shall be omitted.

The Post Office Act 1969

- 130 In section 86(1) of the Post Office Act 1969 (interpretation), in paragraph (a) of the definition of "national health service authority" for the words from "regional" onwards there shall be substituted the words " Regional Health Authority, Area Health Authority, special health authority or Family Practitioner Committee; " and in paragraph (c) of that definition for the words from " means " onwards there shall be substituted the words " means a Health and Social Services Board, the Northern Ireland Central Services Agency for the Health and Social Services or the Northern Ireland Staffs Council for the Health and Social Services established under the Health and Personal Social Services (Northern Ireland) Order 1972. ".

The Local Authority Social Services Act 1970

- 131 (1) In Schedule 1 to the Local Authority Social Services Act 1970 (which specifies the enactments conferring functions assigned to the social services committee of a local authority), at the end of the entry relating to the Health Visiting and Social Work (Training) Act 1962 there shall be inserted the following—

“Section 5(1)(c)	Research into matters relating to functions of local authorities.”
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- (2) In that Schedule, at the end of the entry relating to the Health Services and Public Health Act 1968 there shall be inserted the following—

“Section 65	Financial and other assistance to voluntary organisations.”
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The Chronically Sick and Disabled Persons Act 1970

- 132 (1) In section 17(1) of the Chronically Sick and Disabled Persons Act 1970 (which provides that Regional Hospital Boards and Boards of Governors shall secure, so far as practicable, that younger patients are separated from older patients), for the words " Every board " to " teaching hospital) " there shall be substituted the words " The Secretary of State ".
- (2) For subsection (2) of that section (which provides that the Boards shall provide the Secretary of State with information as to persons to whom subsection (1) applies and that he shall lay before Parliament a statement of that information), there shall be substituted the following subsection—

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“(2) The Secretary of State shall in each year lay before each House of Parliament a statement, in such form as he considers appropriate, of information as to any persons to whom subsection (1) of this section applied who, not being elderly persons, have during the preceding year been cared for in a hospital vested in him and in such part of the hospital as is mentioned in that subsection.”

The Pensions (Increase) Act 1971

133 At the end of paragraph 22 of Schedule 2 to the Pensions (Increase) Act 1971 (by virtue of which certain pensions payable by the Secretary of State under enactments relating to the health service are official pensions for the purposes of that Act) there shall be inserted the following sub-paragraph—

“(d) section 44 of the National Health Service Reorganisation Act 1973 or section 34A of the National Health Service (Scotland) Act 1972.”

The Tribunals and Inquiries Act 1971

134 In Part I of Schedule 1 to the Tribunals and Inquiries Act 1971 (which among other things provides that Executive Councils and service committees of Executive Councils are tribunals under the direct supervision of the Council on Tribunals), for paragraph 17(a) there shall be substituted the following—

“17 (a) Family Practitioner Committees established in pursuance of section 5 of the National Health Service Reorganisation Act 1973 ;”

The Industrial Relations Act 1971

135 (1) In section 167 of the Industrial Relations Act 1971 (interpretation), in subsection (2) (a) for the words "Executive Council" there shall be substituted the words " Area Health Authority or Family Practitioner Committee " and after the words " 1946 or " there shall be inserted the words " by a Health Board " .

(2) In subsection (2)(b) of that section for the words "Executive Council" there shall be substituted the words " Area Health Authority, Family Practitioner Committee or Health Board " .

The Road Traffic Act 1972

136 (1) In section 156 of the Road Traffic Act 1972 (which provides that payment for hospital treatment of a traffic casualty shall be made to a Regional Hospital Board or a Board of Governors of a teaching hospital), in subsection (1)(a) for the words from "National Health Service Act 1946" onwards there shall be substituted the words " National Health Service Acts 1946 to 1973, to the Area Health Authority or special health authority responsible for the administration of the hospital or to the Secretary of State if no such authority is so responsible " .

(2) Paragraphs (b) and (c) of subsection (1) of that section shall be omitted.

(3) In subsections (2)(a) and (3) of that section for the word " Board " there shall be substituted the word " Authority " .

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The Employment Medical Advisory Service Act 1972

- 137 In section 1(6) of the Employment Medical Advisory Service Act 1972 (which imposes on every local education authority the duty of arranging for one of its officers who is a medical practitioner to furnish to an employment medical adviser such particulars of the school medical report and other medical history of a person who is under eighteen as the adviser requires for the efficient performance of his functions), for the words from " every " to " officers " there shall be substituted the words " the Secretary of State to secure that each Area Health Authority arranges for one of its officers ".

The National Health Service (Scotland) Act 1972

- 138 In section 22 of the National Health Service (Scotland) Act 1972 (supply of goods and services to local authorities, etc.), after subsection (2) there shall be added the following subsection—

“(3) The Secretary of State may by order provide that, in relation to a vehicle which is made available by him in pursuance of this section and is used in accordance with the terms on which it is so available, the Vehicles (Excise) Act 1971 and Part VI of the Road Traffic Act 1972 shall have effect with such modifications as are specified in the order.”

- 139 In section 23 of that Act (assistance to voluntary organisations), after subsection (1) there shall be added the following subsection—

“(1A) The Secretary of State may by order provide that, in relation to a vehicle which is made available by him in pursuance of this section and is used in accordance with the terms on which it is so available, the Vehicles (Excise) Act 1971 and Part VI of the Road Traffic Act 1972 shall have effect with such modifications as are specified in the order.”

- 140 In section 34(2) of that Act (transfer of other staff), after paragraph (f) there shall be inserted the following paragraph—

“(g) an education authority wholly or mainly as a speech therapist for the purposes of providing special education in pursuance of sections 1 and 3A of the Education (Scotland) Act 1962.”

- 141 After section 34 of that Act there shall be inserted the following section—

“34A Provision for early retirement in lieu of compensation for loss of office.

- (1) In order to facilitate the early retirement of certain persons who might otherwise suffer, in consequence of this Act, loss of employment or loss or diminution of emoluments, any person who—

- (a) is in any such employment as may be prescribed for the purposes of this subsection ; and
- (b) attains or has attained the age of fifty on or before a prescribed date ; and
- (c) fulfils such other conditions as may be prescribed ;

may by notice given before a prescribed date and in the prescribed manner elect that this section shall apply to him.

- (2) Where any person has made an election under the preceding subsection, then, unless within a prescribed period notice of objection to the election is

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given to him by a prescribed person, this section shall apply to him on his retirement within a prescribed period and before attaining the normal retiring age and compensation on his retirement shall not be payable to or in respect of him in pursuance of section 24 of the Superannuation Act 1972 (which among other things relates to compensation for loss of office).

- (3) Subject to the following subsection, the Secretary of State shall by regulations provide for the payment by him to or in respect of a person to whom this section applies of benefits corresponding, as near as may be, to those which would have been paid to or in respect of that person under the relevant superannuation scheme if—
- (a) at the date of his retirement he had attained the normal retiring age ;
and
 - (b) the actual period of his reckonable service were increased by such period as may be prescribed, not exceeding the period beginning on the date of his retirement and ending on the date on which he would attain the normal retiring age.
- (4) Regulations in pursuance of the preceding subsection shall be so framed as to secure that the sums which would otherwise be payable under the regulations in accordance with that subsection to or in respect of any person are reduced to take account of any benefits payable to or in respect of him under the relevant superannuation scheme.
- (5) Any sums payable under regulations made in pursuance of subsection (3) of this section shall be treated for the purposes of section 73 of the Finance Act 1972 (under which compensation for loss of office or employment is chargeable to tax as a payment made on retirement or removal from office or employment) in like manner as compensation paid in pursuance of the said section 24,
- (6) In this section—
- " normal retiring age " means—
 - (a) in relation to any person to whom an age of compulsory retirement applies by virtue of the relevant superannuation scheme, that age ; and
 - (b) in relation to any other person, the age of sixty-five in the case of a man and sixty in the case of a woman or, in either Case, such other age as may be prescribed ;
 - " reckonable service", in relation to any person, means service in respect of which benefits are payable under the relevant superannuation scheme ; and
 - " relevant superannuation scheme ", in relation to any person, means the instrument which is applicable in the case of his employment and which makes provision with respect to the pensions, allowances or gratuities which, subject to the fulfilment of certain requirements and conditions, are to be, or may be, paid to or in respect of persons in that employment."

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the word " section " there shall be inserted the words " and subsection (4) to (6) of section 32 of the National Health Service Reorganisation Act 1973 ".

143 For subsection (2) of section 44 of that Act (administrative provisions), there shall be substituted the following subsection—

“(2) Any function of the Commissioner under this Part of this Act may be performed by any officer of the Commissioner authorised for that purpose by him or by any officer so authorised of another Commissioner mentioned in subsection (4) of section 32 of the National Health Service Reorganisation Act 1973.”

144 For subsection (2) of section 45 of that Act (bodies and action subject to investigation), there shall be substituted the following subsection—

“(2) Subject to the provisions of this section, the Commissioner may investigate—

- (a) an alleged failure in a service provided by a body subject to investigation; or
- (b) an alleged failure of a body subject to investigation to provide a service which it was a function of the body to provide ; or
- (c) any other action taken by or on behalf of a body subject to investigation,

in a case where a complaint is duly made by or on behalf of any person that he has sustained injustice or hardship in consequence of the failure or in consequence of maladministration connected with the other action.

In this subsection, " function " includes a power and a duty.”

145 (1) In section 46(2) of that Act (provisions relating to complaints), for the word " other " there shall be substituted the words " by some body or ".

(2) In subsection (4) of that section at the end there shall be inserted the words " ; but the Commissioner may disregard the preceding provisions of this subsection in relation to a complaint made by an officer of the body subject to investigation on behalf of the person aggrieved if the officer is authorised by virtue of subsection (2) of this section to make the complaint and the Commissioner is satisfied that in the particular circumstances those provisions ought to be disregarded. "

146 In section 47 of that Act (application of certain provisions of the Parliamentary Commissioner Act 1967), the words " except subsection (4)", where they first occur, shall be omitted; and at the end there shall be added the words " In sections 7(1) and 8(1) of the said Act of 1967 as applied by this section, the words ' the principal officer of ' and ' Minister ' shall be omitted. "

147 For section 65(3) of that Act (extent), there shall be substituted the following subsection—

“(3) The following provisions of this Act shall extend to England and Wales, namely, this subsection, sections 42(4), 47, 48(5), 50(1), paragraphs 104, 128, 130, 143 to 145 and 152 of Schedule 6, Schedule 7 so far as it relates to paragraphs 3 and 5 of Schedule 3 to the Redundancy Payments Act 1965 and subsection (1) of this section so far as it relates to the other provisions mentioned in this subsection.”

148 After section 65(3) of that Act there shall be inserted the following subsection—

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“(4) The following provisions of this Act shall extend to Northern Ireland, namely, this subsection, sections 42(4), 47, 48(5), 50(1), paragraphs 104, 128, 130, 143 to 145 and 152 of Schedule 6 and subsection (1) of this section so far as it relates to the other provisions mentioned in this subsection.”

149 In Schedule 6 to that Act (minor and consequential amendments to enactments), after paragraph 20 there shall be inserted the following paragraph—

“20A In section 18(5) (application to Scotland of provisions in respect of superannuation of officers of certain hospitals), at the end there shall be added the words “, for the reference to Regional Hospital Boards or Area Health Authorities of a reference to Health Boards, and for the reference to services under the National Health Service Acts 1946 to 1973 of a reference to services under the National Health Service (Scotland) Acts 1947 to 1973”.

150 In Schedule 6 to that Act (minor and consequential amendments to enactments), after paragraph 156 there shall be inserted the following paragraph—

“The Road Traffic Act 1972

156A (1) In section 156(1)(c) of the Road Traffic Act 1972 (which provides that payment for hospital treatment of a traffic casualty will be made payable to the Secretary of State or to a Regional Hospital Board or Board of Management), for the Words from “Regional” to “Management” there shall be substituted the words “Health Board”.

Local Government Act 1972

151 (1) At the end of section 113(1) of the Local Government Act 1972 (which gives power to a local authority to place officers at the disposal of another local authority) there shall be inserted the following subsection—

“(1A) Without prejudice to any powers exercisable apart from this section, a local authority may enter into an agreement with a Regional Health Authority, Area Health Authority or special health authority—

- (a) for the placing at the disposal of the Regional or Area Health Authority or special health authority for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the local authority ;
- (b) for the placing at the disposal of the local authority for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the Regional or Area Health Authority or the special health authority ;

but a local authority shall not enter into an agreement in pursuance of paragraph (a) of this subsection in respect of any officer without consulting him.”

(2) After section 113(2) of that Act there shall be inserted the following subsection—

“(3) An officer whose services are placed at the disposal of a local authority in pursuance of subsection (1A) of this section shall be treated as an officer of the authority for the purposes of any enactment relating to the discharge of local authorities' functions.”

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- 152 In section 261(7) of that Act (which relates to the remuneration which officers of local authorities are to be deemed to be receiving for the purposes of the provisions of that Act relating to the transfer of officers and compensation for loss of office), after the words "loss of office" there shall be inserted the words " or for the purposes of the provisions of the National Health Service Reorganisation Act 1973 relating to the transfer of officers and the provisions of section 24 of the Superannuation Act 1972 (which among other things relate to compensation for loss of office) ".

SCHEDULE 5

Section 57.

REPEALS

Chapter	Short Title	Extent of Repeal
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act 1874.	Section 28.
26 Geo. 5 and 1 Edw. 8. c. 49.	The Public Health Act 1936.	In section 143(3), the word " or " where it first occurs. Sections 189 to 191 and 194 to 196. In section 203, in subsection (2) the words " or residence " in both places where they occur and in subsection (6) the words " of health ".
7 & 8 Geo. 6. c. 31.	The Education Act 1944.	Sections 48(1), (2), (3) and (5). Section 69(1). In section 78, subsection (1) and in subsection (2) the words from " and may " to " school or establishment " . Section 79. In section 114(1), the definitions of " medical inspection " and " medical treatment ".
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	In section 2(3), the words from " after consultation with that Council" to " those services " . Sections 3(1) and 6 to 14 except section 6(4). Section 16(2).

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Chapter	Short Title	Extent of Repeal
		<p>In section 18, the words " in cases of emergency" where they first occur.</p> <p>In section 22, in subsection (1) the words " including in particular dental care", in subsection (2) the words " with the approval of the Minister " and subsection (3).</p> <p>Sections 19 to 21.</p> <p>Sections 24 to 27, 30 and 31.</p> <p>In section 33, in subsection (1) the words " whether at a health centre or otherwise".</p> <p>In section 36(3)(c), the words from " and secure" to " occurs ".</p> <p>Section 37.</p> <p>In section 40(1), the words " whether at a health centre or otherwise ".</p> <p>In section 41(1), the words " whether at a health centre or otherwise " in both places where they occur.</p> <p>Section 46.</p> <p>In section 47, the words from "or between" to "health centre ".</p> <p>In section 52(2), the words " except sums required to be transferred to the Hospital Endowment Fund ".</p> <p>Sections 54(1) to (3) and 56.</p> <p>In section 58(3), the words " or a local health authority ".</p> <p>Sections 59(1) and 60.</p> <p>In section 61, the words " and in the making of appointments to the Hospital Management Committee".</p>

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Chapter	Short Title	Extent of Repeal
		<p>Sections 62, 64, 66, 68, 69 and 73.</p> <p>In section 74(c), the words " local health authorities and ".</p> <p>In section 75, subsection (1) and in subsection (2) the words " except regulations made under section 68" and the words from " and such of" to " constituted ".</p> <p>In section 76, the words from " and the enactments" to " that Part" and the words " and repeal".</p> <p>Section 78.</p> <p>In section 79(1), the definition of " appointed day " and in the definition of " local authority " the words " county borough,".</p> <p>In Schedule 1, in paragraph 3 the words from " and the Central Council" onwards.</p> <p>Schedules 2 and 3.</p> <p>Part I of Schedule 4.</p> <p>Schedule 5.</p> <p>In Schedule 10, the entries relating to the Poor Law Act 1930, the Yarmouth Naval Hospital Act 1931, the Pharmacy and Poisons Act 1933 and the Public Health Act 1936 (except so much of the entry relating to section 244 of that Act as ends with the word " Minister ").</p>
10 & 11 Geo. 6. c. 19.	The Polish Resettlement Act 1947.	In section 4, the words " , on or after the appointed day for the purposes of that Act,".
10 & 11 Geo. 6. c. 27.	The National Health Service (Scotland) Act 1947.	In section 37(3)(c), the words from " and secure" to " occurs ".

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Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	In section 21(7), the words from " In this subsection " onwards. Section 47(10). In Schedule 6, paragraph 6(3).
11 & 12 Geo. 6. c. 43.	The Children Act 1948.	In Schedule 3, the entry relating to the National Health Service Act 1946.
12, 13 & 14 Geo. 6.c. 93.	The National Health Service (Amendment) Act 1949.	Sections 3(1), 12, 20(2), 24 and 29(3). In Part I of the Schedule, the entries relating to sections 21, 31(4) and 46 of, and Schedule 3 to, the National Health Service Act 1946.
14 & 15 Geo. 6. c. 31.	The National Health Service Act 1951.	In section 3, the words " as part of the hospital and specialist services under Part II of the National Health Service Act 1946 ".
14 & 15 Geo. 6. c. 53.	The Midwives Act 1951.	In section 11, in subsection (1) the words from " on or after " to " therein ", and subsections (2) and (5). In section 21, the words local health authority or other ". Sections 26, 27 and 33.
1 & 2 Eliz. 2. c. 33.	The Education (Miscellaneous Provisions) Act 1953.	Section 4. In Schedule 1, the entries relating to sections 78, 79 and 114(1) of the Education Act 1944.
5 & 6 Eliz. 2. c. 15.	The Nurses Act 1957.	In section 12(1), the words " situated in such hospital area ". In section 33, in subsection (1) the definitions of " Board of Governors ", " hospital area " and " teaching hospital", and subsection (2). In Schedule 2, paragraph 1(e) and paragraph 3.

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Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2. c. 28.	The Dentists Act 1957.	<p>In section 36(2)(a), the words " and local authority ".</p> <p>In section 42, in subsections (1)(b), (2), (3) and (4) the words " and local authority ".</p> <p>In section 43, in subsections (1)(b), (2) and (5) the words " and local authority ".</p> <p>In section 50(2), the words " and local authority ".</p> <p>In Schedule 1, in paragraphs 13(3) and 14(3) the words " and local authority ".</p>
5 & 6 Eliz. 2. c. 44.	The National Health Service (Amendment) Act 1957.	The whole Act.
6 & 7 Eliz. 2. c. 32.	The Opticians Act 1958.	In section 21(2)(b), the words " Part II or " in both places where they occur.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	<p>In section 14, in subsection (3) the words from "and the power" onwards, and subsections (4) and (5).</p> <p>Section 16(3).</p> <p>In section 17, in subsection (1) the words " or by the registration authority" and the words "in the area of the authority", and subsection (5).</p> <p>In section 37(2)(a), the words " or board ".</p> <p>In section 56, subsection (2) (d).</p> <p>Sections 97 and 98.</p> <p>In section 133(2), the words " and specialist".</p> <p>In section 135(6), the words "under Part III of the National Health Service Act, 1946. or".</p>
8 & 9 Eliz. 2. c. 34.	The Radioactive Substances Act 1960.	In section 14, in subsection (1) the words "or is a teaching hospital within the meaning of the National

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Chapter	Short Title	Extent of Repeal
8 & 9 Eliz. 2. c. 67.	The Public Bodies (Admission to Meetings) Act 1960.	Health Service Act 1946" and the words " , or (in the case of a teaching hospital) the Board of Governors." In the Schedule, paragraph 1(g).
10 & 11 Eliz. 2. c. 33.	The Health Visiting and Social Work (Training) Act 1962.	In Schedule 1, paragraph 3(d), (e), (g) and (h).
1963 c. 13.	The Nursing Homes Act 1963.	In section 1(1), in paragraph (b) the word "local" and in paragraph (c) the word " and ", and paragraph (d). In section 1(2), the words from " in the case of a first offence " to " subsequent offence ".
1963 c. 33.	The London Government Act 1963.	Section 32(1) to (6). In section 45, subsection (3), and in subsection (6) the words from " and in section 20(2)(c)" onwards.
1964 c. 32.	The National Health Service (Hospital Boards) Act 1964.	The whole Act.
1965 c. 62.	The Redundancy Payments Act 1965.	In Schedule 3, paragraphs 2 and 6, and in paragraph 7 the words "section 31(4) of the said Act of 1946 or ".
1966 c. 20.	The Ministry of Social Security Act 1966.	In section 4(1), the words " 6 or ". In section 6, in subsection (1) the words from "include any requirement " to " but " and the word " other ", and subsection (2). Section 8(4).
1967 c. 28.	The Superannuation (Miscellaneous Provisions) Act 1967.	In section 7, in subsection (1) (a) the words " local health authority or other ".
1967 c. 39.	The National Health Service (Family Planning) Act 1967.	The whole Act.

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Chapter	Short Title	Extent of Repeal
1967 c. 80.	The Criminal Justice Act 1967.	In Part I of Schedule 3, the entries relating to section 48(2) of the Education Act 1944 and the Nursing Homes Act 1963.
1968 c. 14.	The Public Expenditure and Receipts Act 1968.	In Schedule 3, the entry relating to section 28 of the Births and Deaths Registration Act 1874.
1968 c. 46.	The Health Services and Public Health Act 1968.	<p>In section 1, in subsection (3) the words "hospital and specialist " in the second place where they occur in that subsection as originally enacted.</p> <p>Section 3(3).</p> <p>Sections 5 to 8, 9(1), 10, 11 and 16.</p> <p>In section 18, subsections (1) and (3).</p> <p>Sections 21 to 24 and 27(1).</p> <p>In section 28(1), the words from the beginning to " Hospital Board and ".</p> <p>Section 34.</p> <p>In section 36(1)(a), paragraphs (ii) and (iii) except the words " the Dental Estimates Board ".</p> <p>In section 39(1), the words " supplied as part of the hospital and specialist services ".</p> <p>In section 48. subsection (3).</p> <p>In section 57, the definition of " local health authority ".</p> <p>In section 63, subsections (4) and (7) and in subsection (8) the words from " Board of Governors" to " 1946" where it first occurs and the words from " section 4 " to " 1967 ".</p> <p>In section 65, in subsection (2) the words from</p>

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Chapter	Short Title	Extent of Repeal
1969 c. 47.	The Nurses Act 1969.	<p>" and the Greater London Council" onwards and in subsection (3)(b) the words "the National Health Service (Family Planning) Act 1967".</p> <p>In section 64(3)(a), the words " the National Health Service (Family Planning) Act 1967".</p> <p>Sections 67 and 69.</p> <p>In section 70(2), the words from " and ' local health authority'" onwards.</p> <p>Schedule 1.</p> <p>In Schedule 3, in Part I the entry relating to the Mid-wives Act 1936, in the entry relating to the National Assistance Act 1948 the words from "In section 21(7)" to the words "under Part I of this Act" where they first occur, the entry relating to the Midwives Act 1951, and in the entry relating to the London Government Act 1963 the word " 10"; and in Part II, paragraph (b).</p>
1970 c. 42.	The Local Authority Social Services Act 1970.	<p>In section 6, the words from the beginning to " (in Scotland)".</p> <p>In section 2, subsections (3), (4), (5) and (6).</p> <p>In section 3. subsection (2).</p> <p>In Schedule 1, the entries relating to sections 29 and 20 of the National Health Service Act 1946 and, in the entry relating to the Mental Health Act 1959, paragraphs (b), (c) and (d).</p>
1970 c. 44.	The Chronically Sick and Disabled Persons Act 1970.	Section 19.

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Chapter	Short Title	Extent of Repeal
1972 c. 11.	The Superannuation Act 1972.	In section 10(1)(a), the words " local health authority or other ".
1972 c. 20.	The Road Traffic Act 1972.	In section 156, subsection (1) (b) and (c).
1972 c. 58.	The National Health Service (Scotland) Act 1972.	In section 43, subsection (4). In section 47, the words " except subsection (4)" where they first occur. In Schedule 6, paragraphs 7, 98 to 100, in paragraph 130 the words from " for paragraph 1 " to " and", and paragraphs 103, 131, 133, 142 and 153. In Schedule 7, the entries relating to the Dentists Act 1957 and the Opticians Act 1958
1972 c. 70.	The Local Government Act 1972.	In Schedule 14, paragraphs 17 and 48.
1972 c. 72.	The National Health Service (Family Planning) Amendment Act 1972.	The whole Act.
	<i>Order in Council</i>	
S.I. 1972 No. 1265.	The Health and Personal Social Services (Northern Ireland) Order 1972.	In Schedule 16, paragraphs 18, 20, 23, 78, 79 and 80.