

SCHEDULES

SCHEDULE 1

Section 5(1).

ADDITIONAL PROVISIONS AS TO THE MEDICAL AND DENTAL INSPECTION AND TREATMENT OF PUPILS

- 1 Without prejudice to the Secretary of State's powers apart from this paragraph, he may—
- (a) by arrangement with any local education authority, provide for any medical or dental inspection or treatment of—
 - (i) senior pupils in attendance at any educational establishment, other than a school, which is maintained by the authority and at which full-time further education is provided, or
 - (ii) any child or young person who, in pursuance of special arrangements made for him by the authority by virtue of section 56 of the Education Act 1944, is receiving primary or secondary education otherwise than at a school;
 - (b) by arrangement with the proprietor of any educational establishment which is not maintained by a local education authority, make any such provision in respect of junior or senior pupils in attendance at the establishment.
- 2 A local education authority shall not arrange in pursuance of paragraph 1 above in respect of such an establishment as is mentioned in sub-paragraph (a)(i) of that paragraph except by agreement with the governors of the establishment; and an arrangement in pursuance of sub-paragraph (b) of paragraph 1 may provide for payments by the proprietor in question.
- 3 It is the duty of the local education authorities by which schools (other than voluntary schools) are maintained and of the managers or governors of voluntary schools to make available to the Secretary of State such accommodation as is appropriate for the purpose of assisting him so to provide as is mentioned in paragraph (a) of section 5(1) above for pupils in attendance at the schools.
- 4 In paragraph (a) of section 5(1) above, and in this Schedule expressions to which meanings are given by section 114(1) of the Education Act 1944 have those meanings.

SCHEDULE 2

Section 5(2).

ADDITIONAL PROVISIONS AS TO VEHICLES FOR THOSE SUFFERING DISABILITY

- 1 The Secretary of State has power, in the case of an invalid carriage or other vehicle provided by him for or belonging to any such person as is mentioned in paragraph (a) of section 5(2) above, on such terms and subject to such conditions as he may determine—

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- (a) to adapt the vehicle for the purposes of making it suitable for the circumstances of that person;
 - (b) to maintain and repair the vehicle ;
 - (c) to take out insurance policies relating to the vehicle and pay the duty, if any, with which the vehicle is chargeable under the Vehicles (Excise) Act 1971 ;
 - (d) to provide a structure in which the vehicle may be kept, and to provide all material and execute all works necessary for the structure's erection.
- 2 The Secretary of State may, on such terms and subject to such conditions as he may determine, make payments by way of grant towards costs incurred by any such person as is mentioned in paragraph (a) of section 5(2) above in respect of all or any of the following matters in relation to an invalid carriage or other vehicle provided by the Secretary of State for or belonging to that person—
- (a) the taking of any such action as is referred to in paragraph 1 above;
 - (b) the purchase of fuel for the purposes of the vehicle, so far as the cost of the purchase is attributable to duties of excise payable in respect of the fuel; and
 - (c) the taking of instruction in the driving of the vehicle.
- 3 Regulations may provide for any incidental or supplementary matter for which it appears to the Secretary of State necessary or expedient to provide in connection with the taking of action under paragraph 1 above or the making of any payment under paragraph 2 above.
- 4 In paragraph (a) of section 5(2) above, and in this Schedule, " invalid carriage " means a mechanically propelled vehicle specially designed and constructed (and not merely adapted) for the use of a person suffering some physical defect or disability and used solely by such a person.

SCHEDULE 3

Section 5(5).

PUBLIC HEALTH LABORATORY SERVICE BOARD

PART I

CONSTITUTION OF THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 1 The Public Health Laboratory Service Board shall be a body corporate.
- 2 The Board may accept, hold and administer property on trust for any purposes relating to the public health laboratory service or otherwise connected with microbiological research.
- 3 The Board shall consist of a chairman appointed by the Secretary of State and such other members so appointed as the Secretary of State thinks fit, and the members shall include—
- (a) not less than two persons appointed after consultation with the Medical Research Council; and
 - (b) not less than two persons with experience as microbiologists, appointed after consultation with such organisations as the Secretary of State thinks appropriate ; and
 - (c) not less than two proper officers appointed by a local authority ; and

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- (d) not less than one person with experience of service in hospitals ; and
- (e) not less than one medical practitioner engaged in general medical practice, appointed after consultation with such organisations as the Secretary of State may recognise as representative of practitioners so engaged.

- 4 Subject to paragraph 5 below members shall be appointed for a term of three years.
- 5 Any member appointed to fill a casual vacancy shall be appointed for the remainder of the term for which his predecessor was appointed.
- 6 A member may at any time resign his office.
- 7 A person who is or has been a member of the Board shall be eligible for re-appointment as a member.
- 8 The Board may elect a deputy chairman and may appoint one or more committees consisting wholly or partly of members of the Board and may delegate to any such committee any of the Board's functions.
- 9 The proceedings of the Board or any committee appointed by the Board shall not be invalidated by any vacancy in the membership of the Board or committee, or by any defect in the appointment or qualification of any such member.
- 10 The Board and, subject to any directions of the Board, any committee appointed by them, may regulate their own procedure and fix a quorum for any of their proceedings.

PART II

ADDITIONAL PROVISIONS AS TO THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 11 The Board may appoint such officers and servants, on such terms as to remuneration and conditions of service, as the Board may, with the Secretary of State's approval, determine.
- 12 The Board may pay to its members and to the members of any committee appointed by the Board such travelling and other allowances, including compensation for loss of remunerative time, as the Board may, with the approval of the Secretary of State and the Minister for the Civil Service, determine.
- 13 The Board shall exercise their functions in accordance with any direction which the Secretary of State may give to them but shall in the exercise of those functions be deemed for all purposes to act as principal.
- 14 The Secretary of State shall pay to the Board, out of moneys provided by Parliament, such sums as may be necessary to defray the expenditure of the Board incurred with his approval.
- 15 Any sums received by the Board (otherwise than in exercise of their power under paragraph 2 above, or under paragraph 14 above) shall be paid into the Consolidated Fund.
- 16 The Board shall keep proper accounts and other records in such form as the Secretary of State may, with the approval of the Treasury, determine.
- 17 The Board shall prepare and transmit to the Secretary of State in respect of each financial year statements of account in such form as the Secretary of State may, with the approval of the Treasury, determine.

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- 18 The Secretary of State shall transmit these statements of accounts on or before 30th November following the financial year to the Comptroller and Auditor General, who shall examine and certify them and lay copies of them together with his report on them before each House of Parliament.

SCHEDULE 4

Section 6.

CENTRAL HEALTH SERVICES COUNCIL AND ADVISORY COMMITTEES

Constitution of Central Council

- 1 (1) The number of members of the Central Council shall be not less than forty, and not more than forty-four, of whom—
- (a) thirteen shall be nominated members in accordance with sub-paragraph (2) below;
 - (b) twenty-seven shall be selected members in accordance with sub-paragraph (5) below ; and
 - (c) the remaining members shall be such persons appointed by the Secretary of State as he thinks fit.
- (2) The nominated members of the Central Council shall be—
- (a) the persons for the time being holding the offices of—
 - The President of the Royal College of Physicians of London ;
 - The President of the Royal College of Surgeons of England ;
 - The President of the Royal College of Obstetricians and Gynaecologists ;
 - The President of the Royal College of Psychiatrists ;
 - The President of the Royal College of Pathologists ;
 - The President of the Royal College of General Practitioners ;
 - The President of the Royal College of Nursing and National Council of Nurses of the United Kingdom ;
 - The President of the Royal College of Midwives ;
 - The Chairman of the Council of the British Medical Association ;
 - The Chairman of the Council of the British Dental Association ;
 - The President of the Faculty of Community Medicine ;
 - The President of the Pharmaceutical Society of Great Britain; and
 - (b) one member of the Personal Social Services Council nominated by that body.
- (3) Any office-holder specified in paragraph (a) of sub-paragraph (2) above may notify the Secretary of State in writing of another member of the body in which he holds office who is to be a member of the Central Council in his place for such period or any part of such period as he holds that office.
- (4) The person of whom such notification is given shall be a member of the Central Council—
- (a) until he resigns ; or
 - (b) until the office-holder ceases to hold office; or

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- (c) until the office-holder notifies the Secretary of State in writing that he wishes some other person to be a member in his place or that he wishes to be a member himself.
- (5) The selected members of the Central Council, who shall be appointed by the Secretary of State, shall be—
- (a) eight medical practitioners ;
 - (b) two dental practitioners ;
 - (c) three registered nurses or certified midwives ;
 - (d) one registered pharmacist;
 - (e) one registered optician ;
 - (f) seven persons with experience in health service management;
 - (g) one person with qualifications or experience in social work; and
 - (h) four persons, who, in the opinion of the Secretary of State, are interested in the health service from the point of view of members of the public.

Before appointing any of the persons specified in paragraphs (a) to (g) respectively, the Secretary of State shall consult with such organisations as he may recognise as representative of such persons, and before appointing the persons specified in paragraph (h) he shall consult with such bodies as appear to him to be appropriate for this purpose.

Supplementary provisions

- 2 Regulations may make provision with respect to the appointment, tenure of office and vacation of office of the members of the Central Council, and of any standing advisory committee constituted under section 6 above.
- 3 The Secretary of State shall appoint a secretary to the Central Council and to each standing advisory committee.
- 4 The Central Council may appoint such committees, and any standing advisory committee may appoint such sub-committees, as they think fit, and as are approved by the Secretary of State, to consider and report upon questions referred to them by the Central Council or standing advisory committee as the case may be.
- Any such committee or sub-committee may include persons who are not members of the Central Council or standing advisory committee as the case may be.
- 5 The Central Council and any standing advisory committee shall elect one of the members of the Council or committee as the case may be to be chairman of the Council or committee, and shall have power to regulate their own procedure.
- 6 The proceedings of the Central Council or of any standing advisory committee shall not be invalidated by any vacancy in the membership of the Council or committee, or by any defect in a member's appointment or qualification.

SCHEDULE 5

Sections 8, 10 and 12.

REGIONAL AND AREA HEALTH AUTHORITIES, FAMILY PRACTITIONER COMMITTEES, AND SPECIAL HEALTH 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 is the Secretary of State's duty, before he appoints a member of a Regional Health Authority other than the chairman, to consult with respect to the appointment—
- (a) 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 23 above 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 in question, that Authority,

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) below ;
 - (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 sub-paragraph (1)(b) above 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 ; and
- (c) in the case of an appointment of a member falling to be made after the establishment of the Area Health Authority in question, that Authority.

3 Paragraph 2 above applies 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 such an Authority the area of which is in England, 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 under-graduate or post-graduate clinical teaching; and
- (b) in the case of such an Authority the area of which is in Wales, by the Secretary of State from among persons appearing to him to have such knowledge and experience.

Supplemental

5 (1) For the purposes of paragraphs 2 to 4 above—

- (a) " 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 ;
- (b) " the relevant Regional Authority " means the Regional Health Authority of which the region includes the area of the Area Health Authority in question ; and
- (c) " 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 (Teaching), in that other order.

(2) Where—

- (a) 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 that provision;

- (b) 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 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 ;
 - (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, but not more than one of them shall be, a medical practitioner having the qualifications prescribed in pursuance of section 38 above (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 ;
 - (g) one shall be a dispensing optician appointed by such members of that Local Optical Committee as are dispensing opticians.

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 sub-paragraph (1) above 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) A Local Committee—
- (a) the members of which are mentioned in paragraphs (f) and (g) of sub-paragraph (1) may, if they think fit, appoint, in addition to the member of the 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
 - (b) by which such a practitioner as is mentioned in paragraph (c) of that sub-paragraph is appointed in pursuance of that paragraph as a member of a Family Practitioner Committee may if it thinks fit appoint another practitioner to be his deputy.

A deputy appointed in pursuance of this sub-paragraph may, while the member for whom he is 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.

- 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 by the Authority should not be in accordance with paragraph 6 above, 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 is the Secretary of State's duty—
- (a) before he makes an order under sub-paragraph (1) above in respect of any Family Practitioner Committee, to consult that Committee with respect to the order ; and
 - (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 paragraph 6 apart from any modification.

PART III

SUPPLEMENTARY PROVISIONS

Corporate status

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

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 provide as he may determine with the approval of the Minister for the Civil Service 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 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 that person to receive compensation, the Secretary of State may make to him a payment of such amount as the Secretary of State may determine with the approval of the Minister for the Civil Service.
- (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 the loss of remunerative time) as he may determine with the approval of the Minister for the Civil Service.
- (5) Allowances shall not be paid in pursuance of sub-paragraph (4) above except in connection with the exercise, in such circumstances as the Secretary of State may determine with the approval of the Minister for the Civil Service, of such functions as he may so determine.

- (6) Payments under this paragraph shall be made at such times, and in such manner and subject to such conditions, as the Secretary of State may determine with the approval of the Minister for the Civil Service.

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 ;
 - (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 provide for the transfer of officers from one authority to another which is not a Family Practitioner Committee, and for arrangements under which the services of an officer of an authority are placed at the disposal of another authority or a local authority.
- (3) Directions may be given—
- (a) by the Secretary of State to an authority to place services of any of its officers at the disposal of another authority,
 - (b) subject to any directions given by the Secretary of State in pursuance of this sub-paragraph, by a Regional Health Authority to 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,
 - (c) by the Secretary of State to any 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,
 - (d) by a Regional Health Authority to an Area Health Authority of which the area is included in its region to employ as an officer of the Area Health Authority any 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 directions are given in pursuance of this sub-paragraph to comply with the directions.
- (4) 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 paragraph 10 above, 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 sub-paragraph (3) below, it is the Secretary of State's duty, or, as the case may be, a Regional Health Authority's, before he or the Authority gives directions to an authority in pursuance of sub-paragraph (3) of paragraph 10 above in respect of any officer of an authority—
- (a) to consult the officer about the directions ; or

- (b) 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
 - (c) to consult, except in the case of a direction in pursuance of paragraph (c) or paragraph (d) of paragraph 10(3), 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—
- (a) considers it necessary to give directions in pursuance of paragraph (a) or paragraph (b) of paragraph 10(3) for the purpose of dealing temporarily with an emergency, and
 - (b) has previously consulted bodies recognised by him or the Authority as representing the relevant officers about the giving of directions for that purpose,
- the Secretary of State or the Authority shall be entitled to disregard sub-paragraph (2) above in relation to the directions.

Miscellaneous

- 12 Provision may be made by regulations as to—
- (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) ; and
 - (c) the procedure of an authority, and of such committees and sub-committees as are mentioned in sub-paragraph (b) above.
- 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 a member's appointment.
- 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.

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.

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 disclosure would be contrary to the public interest.

- (3) The Secretary of State may by order provide—

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- (a) that any right which a Regional Hospital Board, a Board of Governors or a Hospital Management Committee was entitled to enforce by virtue of section 13 of the National Health Service Act 1946 immediately before 1st April 1974, and
- (b) that any liability in respect of which such a board or committee was liable by virtue of that section immediately before that day,

shall, on and after that day, be enforceable by or, as the case may be, against a health authority specified in the order as if the health authority so specified were concerned as a principal with the matter in question and did not exercise functions on behalf of the Secretary of State.

A statutory instrument containing only an order made by virtue of this sub-paragraph shall be laid before Parliament after being made.

- 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 6

Section 19.

ADDITIONAL PROVISIONS AS TO LOCAL ADVISORY COMMITTEES

- 1 (1) Where the Secretary of State is satisfied that a committee formed for Wales, or for the region of a Regional Health Authority, or the area of an Area Health Authority, is representative of—
- (a) any category of persons (other than a category mentioned in section 19(1) above) who provide services forming part of the health service, or
 - (b) two or more of any of the categories mentioned in that subsection and paragraph (a) above,
- and that it is in the interests of the health service to recognise the committee, it shall be his duty to recognise it in pursuance of this sub-paragraph, and to determine that it shall be known by a name specified in the determination.
- (2) Where a committee recognised in pursuance of sub-paragraph (1) above appears to the Secretary of State to represent categories of persons which include a category mentioned in section 19(1), he shall not be required by virtue of that subsection to recognise a committee representing persons of that category.
- 2 The Secretary of State may, by notice in writing served on any member of a duly recognised committee, withdraw his recognition of the committee if he considers it expedient to do so—
- (a) where the committee is recognised in pursuance of section 19(1) or (3) above or paragraph 1(1)(a) above, with a view to recognising in pursuance of paragraph 1(1)(b) another committee representing categories of persons which include the category represented by the recognised committee ; or
 - (b) where the committee is recognised in pursuance of paragraph 1(1)(b), with a view to recognising in pursuance of any of the provisions of section 19 and paragraph 1 other committees which together are representative of the categories in question.
- 3 It is the duty of any duly recognised committee for Wales—

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- (a) to advise the Secretary of State on the provision by him of services of a kind provided by the categories of persons of whom the committee is representative, and
 - (b) to perform such other functions as may be prescribed,
- 4 It is the duty of a committee duly recognised by reference to the region of a Regional Health Authority or the area of an Area Health Authority—
- (a) to advise the Authority on the Authority's provision of services of a kind provided by the categories of persons of whom the committee is representative, and
 - (b) to perform such other functions as may be prescribed,
- and it shall be the duty of the Authority to consult the committee with respect to such matters, and on such occasions, as may be prescribed.
- 5 An Authority may defray such expenses incurred by a committee in performing the duty imposed on the committee by paragraphs 3 or 4 above as the Authority considers reasonable, and those expenses may include travelling and other allowances and compensation for loss of remunerative time at such rates as the Secretary of State may determine with the approval of the Minister for the Civil Service.

In this paragraph " an Authority " means—

- (a) in relation to any duly recognised committee for Wales, the Secretary of State;
- (b) in relation to the region of a Regional Health Authority, that Regional Health Authority;
- (c) in relation to the area of an Area Health Authority, that Area Health Authority.

SCHEDULE 7

Section 20.

ADDITIONAL PROVISIONS AS TO COMMUNITY HEALTH COUNCILS

- 1 It is the duty of a Community Health Council (in this Schedule referred to as a " Council ")—
- (a) to represent the interests in the health service of the public in its district; and
 - (b) to perform such other functions as may be conferred on it by virtue of paragraph 2 below.
- 2 Regulations may provide as to—
- (a) the membership of Councils (including the election by members of a Council of a chairman of the Council);
 - (b) the proceedings of Councils ;
 - (c) the staff, premises and expenses of Councils;
 - (d) the consultation of Councils by Area Health Authorities with respect to such matters, and on such occasions, as may be prescribed;
 - (e) the furnishing of information to Councils by Area Health Authorities, and the rights of members of Councils to enter and inspect premises controlled by Area Health Authorities ;

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- (f) the consideration by Councils of matters relating to the operation of the health service within their districts, and the giving of advice by Councils to Area Health Authorities on such matters;
 - (g) the preparation and publication of reports by Councils on such matters, and the furnishing and publication by Area Health Authorities of comments on the reports ; and
 - (h) the functions to be exercised by Councils in addition to the functions exercisable by them by virtue of paragraph 1(a) above and the preceding provisions of this paragraph.
- 3 It is the Secretary of State's duty to exercise his power to make regulations in pursuance of paragraph 2(a) above so as to secure as respects each Council that—
- (a) at least one member of the Council is appointed by each local authority of which the area or part of it is included in the Council's district, and at least half of the members of the Council consist of persons appointed by those local authorities;
 - (b) at least one third of the members are appointed in a prescribed manner by bodies (other than public or local authorities) of which the activities are carried on otherwise than for profit;
 - (c) the other members of the Council are appointed by such bodies, and in such manner and after such consultations as may be prescribed ; and
 - (d) no member of the Council is also a member of a Regional Health Authority or Area Health Authority.
- 4 Nothing in paragraph 3 above affects the validity of anything done by or in relation to a Council during any period during which, by reason of a vacancy in the membership of the Council or a defect in the appointment of a member of it, a requirement included in regulations in pursuance of that paragraph is not satisfied.
- 5 The Secretary of State may by regulations—
- (a) provide for the establishment of a body—
 - (i) to advise Councils with respect to the performance of their functions, and to assist Councils in the performance of their functions ; and
 - (ii) to perform such other functions as may be prescribed; and
 - (b) provide for the membership, proceedings, staff, premises and expenses of that body.
- 6 The Secretary of State may pay to members of Councils and any body established under paragraph 5 above such travelling and other allowances (including compensation for loss of remunerative time) as he may determine with the consent of the Minister for the Civil Service.
- 7 In this Schedule—
- " local authority " means the council of a London borough, or of a county or district as defined in relation to England in section 270(1) of the Local Government Act 1972, or of a county or district mentioned in section 20(3) of that Act (which relates to Wales) or the Common Council of the City of London, and
- " district ", in relation to a Council, means the locality for which it is established, whether that locality consists of the area or part of the area of an Area Health Authority, or such an area or part together with the areas or parts of the areas of other Area Health Authorities,

and the district of a Council must be such that no part of it is separated from the rest of it by territory not included in the district.

SCHEDULE 8

Section 21.

LOCAL SOCIAL SERVICES AUTHORITIES

Care of mothers and young children

- 1 (1) A local social services authority may, with the Secretary of State's approval, and to such extent as he may direct shall, make arrangements for the care of expectant and nursing mothers and of children who have not attained the age of 5 years and are not attending primary schools maintained by a local education authority.
- (2) A local social services authority may make and recover from persons availing themselves of the services provided under this paragraph such charges (if any) in respect of residential accommodation, day nurseries, child-minders, food or articles provided as the authority consider reasonable, having regard to the means of those persons.

Prevention, care and after-care

- 2 (1) A local social services authority may, with the Secretary of State's approval, and to such extent as he may direct shall, make arrangements for the purpose of the prevention of illness and for the care of persons suffering from illness and for the after-care of persons who have been so suffering and in particular for—
- (a) the provision, equipment and maintenance of residential accommodation for the care of persons with a view to preventing them from becoming ill, the care of persons suffering from illness and the after-care of persons who have been so suffering;
 - (b) the provision, for persons whose care is undertaken with a view to preventing them from becoming ill, persons suffering from illness and persons who have been so suffering, of centres or other facilities for training them or keeping them suitably occupied and the equipment and maintenance of such centres ;
 - (c) the provision, for the benefit of such persons as are mentioned in paragraph (b) above, of ancillary or supplemental services ; and
 - (d) as regards persons suffering from mental disorder within the meaning of the Mental Health Act 1959, the appointment of officers to act as mental welfare officers under that Act and, in the case of such persons so suffering as are received into guardianship under Part IV of that Act (whether the guardianship of the local social services authority or of other persons), the exercise of the functions of the authority in respect of them.

Such an authority shall neither have the power nor be subject to a duty to make under this paragraph arrangements to provide facilities for any of the purposes mentioned in section 15(1) of the Disabled Persons (Employment) Act 1944.

- (2) No arrangements under this paragraph shall provide for the payment of money to persons for whose benefit they are made except—
- (a) in so far as they may provide for the remuneration of such persons engaged in suitable work in accordance with the arrangements ; or

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- (b) to persons who—
 - (i) are, or have been, suffering from mental disorder within the meaning of the Mental Health Act 1959,
 - (ii) are under the age of 16 years, and
 - (iii) are resident in accommodation provided under the arrangements, of such amounts as the local social services authority think fit in respect of their occasional personal expenses where it appears to that authority that no such payment would otherwise be made.
- (3) The Secretary of State may make regulations as to the conduct of premises in which, in pursuance of arrangements made under this paragraph, are provided for persons whose care is undertaken with a view to preventing them from becoming sufferers from mental disorder within the meaning of that Act of 1959 or who are, or have been, so suffering, residential accommodation or facilities for training them or keeping them suitably occupied.
- (4) Any such regulations may in particular confer on the Secretary of State's officers so authorised such powers of inspection as may be prescribed by the regulations.
- (5) A local social services authority may recover from persons availing themselves of services provided in pursuance of arrangements under this paragraph such charges (if any) as the authority consider reasonable, having regard to the means of those persons.

Home help and laundry facilities

- 3 (1) It is the duty of every local social services authority to provide on such a scale as is adequate for the needs of their area, or to arrange for the provision on such a scale as is so adequate, of home help for households where such help is required owing to the presence of—
 - (a) a person who is suffering from illness, lying-in, an expectant mother, aged, handicapped as a result of having suffered from illness or by congenital deformity, or
 - (b) a child who has not attained the age which, for the purposes of the Education Act 1944 is, in his case, the upper limit of the compulsory school age,
 and every such authority has power to provide or arrange for the provision of laundry facilities for households for which home help is being, or can be, provided under this sub-paragraph.
- (2) A local social services authority may recover from persons availing themselves of help or facilities provided under this paragraph such charges (if any) as the authority consider reasonable, having regard to the means of those persons.

SCHEDULE 9

Section 46.

TRIBUNAL FOR PURPOSES OF SECTION 46

Constitution of Tribunal

- 1 The Tribunal shall consist of a chairman and two other members.

2 The chairman shall be a practising barrister or solicitor of not less than ten years' standing appointed by the Lord Chancellor.

3 One of the other members shall be a person appointed by the Secretary of State after consultation with such associations of Family Practitioner Committees as the Secretary of State may recognise as representative of Family Practitioner Committees.

4 The remaining member (referred to in paragraph 5 below as " the practitioner member ") shall be appointed by the Secretary of State from such one of the panels appointed as provided below as the Secretary of State considers appropriate having regard to the profession or calling of the person whose case is to be investigated.

For the purposes of this paragraph, the Secretary of State shall, after consultations with such organisations as he may recognise as representative of the several professions or callings concerned, appoint the following panels, none of which shall exceed six persons—

- (a) a panel of medical practitioners,
- (b) a panel of medical practitioners having the qualifications prescribed under section 38 above,
- (c) a panel of dental practitioners,
- (d) a panel of ophthalmic opticians,
- (e) a panel of dispensing opticians,
- (f) a panel of registered pharmacists.

5 If any member of the Tribunal is unable to act in any case, a deputy may be appointed by the Lord Chancellor or the Secretary of State as in the case of the appointment of the member in question.

If the member is the chairman, the deputy shall possess the professional qualifications required for the office of chairman, and, if the member is the practitioner member, the deputy shall be appointed from the same panel.

Supplementary

6 Regulations may provide for the appointment, tenure of office and vacation of office of members of the Tribunal, and with respect to the appointment of officers of the Tribunal.

SCHEDULE 10

Section 54.

ADDITIONAL PROVISIONS AS TO PROHIBITION OF SALE OF MEDICAL PRACTICES

Prohibition, and certificate of Medical Practices Committee

1 (1) Any person who sells or buys the goodwill, or any part of the goodwill, of a medical practice which it is unlawful to sell by virtue of section 54(1) above is guilty of an offence and liable on conviction on indictment to a fine not exceeding—

- (a) such amount as will in the court's opinion secure that he derives no benefit from the offence, and
- (b) the further amount of £500,

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or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

- (2) Any medical practitioner or his personal representative may apply to the Medical Practices Committee for their opinion whether a proposed transaction or series of transactions involves the sale of the goodwill, or any part of the goodwill, of a medical practice which it is unlawful to sell by virtue of section 54(1).
- (3) The Committee shall consider any such application, and, if they are satisfied that the transaction or series of transactions does not involve the giving of valuable consideration in respect of the goodwill, or any part of the goodwill, of such a medical practice, they shall issue to the applicant a certificate to that effect, which shall be in the prescribed form and shall set out all material circumstances disclosed, to the Committee.
- (4) Where any person is charged with an offence under this paragraph in respect of any transaction or series of transactions, it shall be a defence to the charge to prove that the transaction or series of transactions was certified by the Medical Practices Committee under sub-paragraph (3) above.
- (5) Any document purporting to be such a certificate shall be admissible in evidence and shall be deemed to be such a certificate unless the contrary is proved.
- (6) If it appears to the court that the applicant for any such certificate failed to disclose to the Committee all the material circumstances, or made any misrepresentation with respect thereto, the court may disregard the certificate, and sub-paragraph (4) shall not apply thereto.
- (7) A prosecution for an offence under this paragraph shall only be instituted by or with the consent of the Director of Public Prosecutions, and the Medical Practices Committee shall, at the request of the Director, furnish him with a copy of any certificate issued by them under sub-paragraph (3), and with copies of any documents produced to them in connection with the application for that certificate.
- (8) For the purposes of this paragraph (and paragraph 2 below) references to the goodwill of a medical practice shall, in relation to a medical practitioner practising in partnership, be construed as referring to his share of the goodwill of the partnership practice.

Certain transactions deemed sale of goodwill

- 2 (1) Where—
 - (a) any medical practitioner or his personal representative knowingly sells or lets premises previously used by that practitioner for the purposes of his practice to another medical practitioner, or in any other way disposes or procures the disposition of the premises whether by a single transaction or a series of transactions, with a view to enabling another practitioner to use the premises for the purposes of his practice, and
 - (b) the consideration for the sale, letting or other disposition is substantially in excess of the consideration which might reasonably have been expected if the premises had not previously been used for the purposes of a medical practice,

the sale, letting or other disposition of the premises shall be deemed for the purposes of section 54(1) and paragraph 1 above to be a sale by the first medical practitioner

or his personal representative of the goodwill, or part of the goodwill, of the practice of that practitioner to that other practitioner.

Where a medical practitioner or his personal representative sells, lets or disposes or procures the disposition, of any premises, together with any other property, the court shall, for the purposes of this sub-paragraph, make such apportionment of the consideration as it thinks just.

- (2) Where in pursuance of any partnership agreement between medical practitioners—
- (a) any valuable consideration, other than the performance of services in the partnership business, is given by a partner or proposed partner as consideration for his being taken into partnership,
 - (b) any valuable consideration is given to a partner, on or in contemplation of his retirement or of his acceptance of a reduced share of the partnership profits, or to the personal representative of a partner on his death, not being a payment in respect of that partner's share in past earnings of the partnership or in any partnership assets or any other payment required to be made to him as the result of the final settlement of accounts, as between him and the other partners, in respect of past transactions of the partnership, or
 - (c) services are performed by any partner for a consideration substantially less than those services might reasonably have been expected to be worth having regard to the circumstances at the time when the agreement was made,

there shall be deemed for the purposes of section 54(1) and paragraph 1 to have been a sale of the goodwill, or part of the goodwill, of the practice of any partner to whom, or to whose personal representative, the consideration or any part thereof is given or, as the case may be, for whose benefit the services are performed, to the partner or each of the partners by or on whose behalf the consideration or any part thereof was given or, as the case may be, the partner who performed the services, and the said sale shall be deemed for the purposes of section 54(1) and paragraph 1 to have been effected—

- (i) in a case to which paragraph (a) or paragraph (b) applies, at the time when the consideration was given, or, if the consideration was not all given at the same time, at the time when the first part thereof was given, or
- (ii) in a case to which paragraph (c) applies, at the time when the agreement was made.

- (3) Where any medical practitioner—
- (a) performs services as an assistant to another medical practitioner for remuneration substantially less than those services might reasonably have been expected to be worth having regard to the circumstances at the time when the remuneration was fixed, and
 - (b) subsequently succeeds, whether as the result of a partnership agreement or otherwise, to the practice or any part of the practice of the second practitioner,

there shall be deemed for the purposes of section 54(1) and paragraph 1 to have been a sale (effected at the time when the remuneration was fixed) of the goodwill, or part of the goodwill, of that practice by the second practitioner to the first practitioner, unless it is shown that that remuneration of the first practitioner was not fixed in contemplation of his succeeding to the practice, or any part of it.

- (4) For the purposes of section 54(1) and paragraph 1—

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- (a) if a medical practitioner or the personal representative of a medical practitioner agrees, for valuable consideration, to do or refrain from doing any act, or to allow any act to be done, for the purpose of facilitating the succession of another medical practitioner to the practice, or any part of the practice, of the first practitioner, the transaction shall be deemed to be a sale of the goodwill, or part of the goodwill, of that practice by the first practitioner or his personal representative to the second practitioner ; and
 - (b) if any medical practitioner, or any person acting on his behalf, gives any valuable consideration to another medical practitioner, or the personal representative of another medical practitioner, and the first medical practitioner succeeds, or has succeeded, whether before or after the transaction aforesaid, to the practice, or any part of the practice, of the second practitioner, the transaction shall be deemed to be a sale of the goodwill, or part of the goodwill, of the practice of the second practitioner by him or by his personal representative to the first practitioner, unless it is shown that no part of the consideration was given in respect of the said goodwill or part of it.
- (5) Sub-paragraph (4) above shall not apply to anything done in relation to the acquisition of premises for the purposes of a medical practice, or in pursuance of a partnership agreement, or to the performance of services as an assistant to a medical practitioner.
- (6) In determining for the purposes of section 54(1) and this Schedule the consideration given in respect of any transaction, the court shall have regard to any other transaction appearing to the court to be associated with the first transaction, and shall estimate the total consideration given in respect of both or all the transactions, and apportion it between those transactions in such manner as it thinks just.
- (7) Where any consideration is, with the knowledge and consent of a medical practitioner or his personal representative, given to any other person, and it appears to the court that the medical practitioner or, if he has died, his estate or some person beneficially interested in his estate derives a substantial benefit from the giving of the consideration, the consideration shall be deemed for the purposes of section 54(1) and this Schedule to have been given to the medical practitioner or his personal representative, as the case may be.

SCHEDULE 11

Section 57.

ADDITIONAL PROVISIONS AS TO THE CONTROL OF MAXIMUM PRICES FOR MEDICAL SUPPLIES

Orders and directions

- 1 (1) Any power of making orders under section 57 above includes power to provide for any incidental and supplementary provisions which the Secretary of State thinks it expedient for the purposes of the order to provide.
- (2) An order under section 57 may make such provisions (including provision for requiring any person to furnish any information) as the Secretary of State thinks necessary or expedient for facilitating the introduction or operation of a scheme of

control for which provision has been made, or for which, in his opinion, it will or may be found necessary or expedient that provision should be made, under that section.

- (3) An order under section 57 may prohibit the doing of anything regulated by the order except under the authority of a licence granted by such authority or person as may be specified in the order, and may be made so as to apply either to persons or undertakings generally or to any particular person or undertaking or class of persons or undertakings, and so as to have effect either generally or in any particular area.
- (4) The Interpretation Act 1889 shall apply to the interpretation of any order made under section 57 as it applies to the interpretation of an Act of Parliament and for the purposes of section 38 of that Act any such order shall be deemed to be an Act of Parliament.

Notices, authorisations and proof of documents

- 2 (1) A notice to be served on any person for the purposes of section 57 above, or of any order or direction made or given under that section, shall be deemed to have been duly served on the person to whom it is directed if—
 - (a) it is delivered to him personally ; or
 - (b) it is sent by registered post or the recorded delivery service addressed to him at his last or usual place of abode or place of business.
- (2) Where under section 57 and this Schedule a person has power to authorise other persons to act thereunder, the power may be exercised so as to confer the authority either on particular persons or on a specified class of persons.
- (3) Any permit, licence, permission or authorisation granted for the purposes of section 57 may be revoked at any time by the authority or person empowered to grant it.
- (4) Every document purporting to be an instrument made or issued by the Secretary of State or other authority or person in pursuance of section 57 and this Schedule or any provisions so having effect and to be signed by or on behalf of the Secretary of State, or that authority or person, shall be received in evidence and shall until the contrary is proved, be deemed to be an instrument made or issued by the Secretary of State, or that authority or person.
- (5) Prima facie evidence of any such instrument as is described in sub-paragraph (4) above may in any legal proceedings (including arbitrations) be given by the production of a document purporting to be certified to be a true copy of the instrument by or on behalf of the Secretary of State or other authority or person having power to make or issue the instrument.

Territorial extent

- 3 So far as any provisions contained in or having effect under section 57 above and this Schedule impose prohibitions, restrictions or obligations on persons, those provisions apply to all persons in the United Kingdom and all persons on board any British ship or aircraft, not being an excepted ship or aircraft, and to all other persons, wherever they may be, who are ordinarily resident in the United Kingdom and who are citizens of the United Kingdom and Colonies or British protected persons.

In this paragraph—

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" British aircraft " means an aircraft registered in—

- (a) any part of Her Majesty's dominions;
- (b) any country outside Her Majesty's dominions in which for the time being Her Majesty has jurisdiction;
- (c) any country consisting partly of one or more colonies and partly of one or more such countries as are mentioned in paragraph (b) above;

" British protected person " means the same as in the British Nationality Acts 1948 to 1965 ;

" excepted ship or aircraft " means a ship or aircraft registered in any country for the time being listed in section 1(3) of the British Nationality Act 1948 or in any territory administered by the government of any such country, not being a ship or aircraft for the time being placed at the disposal of, or chartered by or on behalf of, Her Majesty's Government in the United Kingdom.

False documents and false statements

- 4 (1) A person shall not, with intent to deceive—
- (a) use any document issued for the purposes of section 57 above and this Schedule or of any order made under that section;
 - (b) have in his possession any document so closely resembling such a document as is described in paragraph (a) above as to be calculated to deceive ;
 - (c) produce, furnish, send or otherwise make use of for purposes connected with that section and this Schedule or any order or direction made or given under that section, any book, account, estimate, return, declaration or other document which is false in a material particular.
- (2) A person shall not, in furnishing any information for the purposes of section 57 and this Schedule or of any order made under that section, make a statement which he knows to be false in a material particular or recklessly make a statement which is false in a material particular.

Restrictions on disclosing information

- 5 No person who obtains any information by virtue of section 57 above and this Schedule shall, otherwise than in connection with the execution of that section and this Schedule or of an order made under that section, disclose that information except for the purposes of any criminal proceedings, or of a report of any criminal proceedings, or with permission granted by or on behalf of a Minister of the Crown.

Offences by corporations

- 6 Where an offence under this Schedule committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In this paragraph, the expression " director", in relation to a body corporate established by or under any enactment for the purpose of carrying on under national

ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

Penalties

- 7 (1) If any person contravenes or fails to comply with any order made under section 57 above, or any direction given or requirement imposed under that section, or contravenes or fails to comply with this Schedule (except for paragraph 8(3) or paragraph 9(4) below) he is, save as otherwise expressly provided, guilty of an offence.
- (2) Subject to any special provisions contained in this Schedule, a person guilty of such an offence shall—
- (a) on summary conviction, be liable to imprisonment for a term not exceeding three months or to a fine not exceeding £100, or to both ; or
 - (b) on conviction on indictment, be liable to imprisonment for a term not exceeding two years or to a fine not exceeding £500, or to both.
- (3) Where a person convicted on indictment of such an offence is a body corporate, no provision limiting the amount of the fine which may be imposed shall apply, and the body corporate shall be liable to a fine of such amount as the court thinks just.

Production of documents

- 8 (1) For the purposes—
- (a) of securing compliance with any order made or direction given under section 57 above by or on behalf of the Secretary of State, or
 - (b) of verifying any estimates, returns or information furnished to the Secretary of State in connection with section 57 or any order made or direction given under that section,
- an officer of the Secretary of State duly authorised in that behalf has power, on producing (if required to do so) evidence of his authority, to require any person carrying on an undertaking or employed in connection with an undertaking to produce to that officer forthwith any documents relating to the undertaking which that officer may reasonably require for the purpose set out above.
- (2) The power conferred by this paragraph to require any person to produce documents includes power—
- (a) if the documents are produced, to take copies of them or extracts from them and to require that person, or where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any of them ;
 - (b) if the documents are not produced, to require the person who was required to produce them to state, to the best of his knowledge and belief, where they are.
- (3) If any requirement to produce documents or provide an explanation or make a statement which is imposed by virtue of this paragraph is not complied with, the person on whom the requirement was so imposed is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £100, or to both.

Where a person is charged with such an offence in respect of a requirement to produce any document, it shall be a defence to prove that they were not in his possession or

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under his control and that it was not reasonably practicable for him to comply with the requirements.

- 9 (1) If a justice of the peace is satisfied, on information on oath laid on the Secretary of State's behalf, that there are any reasonable grounds for suspecting that there are on any premises any documents of which production has been required by virtue of paragraph 8 above and which have not been produced in compliance with that requirement, he may issue a warrant under this paragraph.

A warrant so issued may authorise any constable, together with any other persons named in the warrant and any other constables—

- (a) to enter the premises specified in the information (using such force as is reasonably necessary for the purpose); and
 - (b) to search the premises and take possession of any documents appearing to be such documents as are mentioned above, or to take in relation to any documents so appearing any other steps which may appear necessary for preserving them and preventing interference with them.
- (2) Every warrant issued under this paragraph shall continue in force until the end of the period of one month after the date on which it is issued.
- (3) Any documents of which possession is taken under this paragraph may be retained for a period of three months or, if within that period there are commenced any proceedings for an offence under section 57 above and this Schedule to which they are relevant, until the conclusion of those proceedings.
- (4) Any person who obstructs the exercise of any right of entry or search conferred by virtue of a warrant under this paragraph, or who obstructs the exercise of any rights so conferred to take possession of any documents, is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding £50, or to both.

Northern Ireland

- 10 (1) So far as the Secretary of State's power under section 57 above and this Schedule is exercisable in relation to Northern Ireland—
- (a) he may, to such extent and subject to such restrictions as he thinks proper, by order delegate that power either to a Northern Ireland department or departments specified in that order or to the appropriate Northern Ireland department or departments; and
 - (b) where any power is so delegated to the appropriate Northern Ireland department or departments, that power shall be exercised by such Northern Ireland department or departments as the Secretary of State may by order specify.
- (2) The power of the Secretary of State to make an order under sub-paragraph (1)(b) above shall be exercisable by statutory instrument ; and where a power to make orders has been delegated in pursuance of sub-paragraph (1)—
- (a) any order made in pursuance of that power shall be made by statutory instrument; and
 - (b) the Statutory Instruments Act 1946 shall apply in like manner as if the order had been made by the Secretary of State.

- (3) The references in section 57(1) and (2) above to this Act include any corresponding enactments of the Parliament of Northern Ireland or the Northern Ireland Assembly.

SCHEDULE 12

Sections 77 to 79.

ADDITIONAL PROVISIONS AS TO REGULATIONS
FOR THE MAKING AND RECOVERY OF CHARGES

*Regulations under section 77—charges for drugs,
medicines or appliances, or pharmaceutical services*

- 1 (1) No charge shall be made under section 77(1) above in relation to the supply of drugs, medicines and appliances referred to in paragraph (a) of that subsection in respect of—
- (a) the supply of any drug, medicine or appliance for a patient who is for the time being resident in hospital, or
 - (b) the supply of any drug or medicine for the treatment of venereal disease, or
 - (c) the supply of any appliance (otherwise than in pursuance of paragraph (b) of section 5(1) above) for a person who is under 16 years of age or is undergoing full-time education in a school, or
 - (d) the replacement or repair of any appliance in consequence of a defect in the appliance as supplied,
- and regulations may provide for the remission or repayment of any charge payable under paragraph (a) of section 77(1) in such other cases as may be prescribed.
- (2) Regulations made under section 77(1) above in relation to the pharmaceutical services referred to in paragraph (b) of that subsection may provide for the remission or repayment of the charges made by those regulations in the case of such persons as may be prescribed.

Regulations under section 78—charges for dental or optical appliances

- 2 (1) The dental and optical appliances mentioned in the first column below, and the charges mentioned in the second column, are the appliances and charges referred to in section 78(1) above.

<i>Appliance</i>	<i>Charge</i>
The dentures described in regulations made under section 78(1) and this paragraph.	The amount or the maximum amount prescribed by regulations made under section 78(1) and this paragraph.
Glasses other than children's glasses— The lenses described in regulations made under section 78(1) and this paragraph.	The amount or the maximum amount prescribed by regulations made under section 78(1) and this paragraph.
Frames.	The current specified cost.

In this sub-paragraph—

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" children's glasses " means glasses for which a standard type of children's frame as described in the Statement referred to below is used 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 16 years of age or receiving full-time education in a school, and

" current specified cost ", in relation to frames supplied under Part II of this Act, means the sum specified in the Statement as the sum payable for frames of that description by the person to whom they are supplied, and in relation to frames supplied under this Act otherwise than under Part II means a sum equal to the sum so specified, or in the case of frames of a description for which no sum is so specified, such sum as may be determined by or in accordance with directions given by the Secretary of State,

and for the purposes of this provision " the Statement " means the Statement published by the Secretary of State pursuant to the provisions of regulation 10 of the National Health Service (General Ophthalmic Services) Regulations 1974 or any corresponding regulation for the time being in force.

(2) Regulations may—

(a) vary the amount or maximum amount of any charge authorised by section 78(1) for any dental or optical appliance, and this power includes power to direct that the charge shall not be payable ; or

(b) vary the descriptions of appliances for which any such Charge is authorised ; and regulations made for the purposes of section 78(1) may be made so as to take effect—

(i) in the case of appliances supplied under this Act otherwise than under Part II, where the examination or testing of sight (otherwise than under that Part) leading to the supply of those appliances, or the first such examination or testing, takes place on or after the date on which the regulations come into force ;

(ii) in the case of dental appliances supplied under Part II, where the contract or arrangement between the person by whom and the person to whom the appliances are supplied is made on or after that date ;

(iii) in the case of optical appliances supplied under Part II, where the testing of sight leading to the supply of those appliances, or the first such testing, takes place on or after that date.

(3) No charge shall be made under section 78(1) in respect of any appliance supplied otherwise than under Part II to a patient for the time being resident in a hospital.

(4) No charge shall be made under section 78(1) in respect of the supply of a dental appliance if at the relevant time the person for whom that appliance was supplied—

(a) was under 16 years of age or was receiving full-time education in a school; or

(b) was an expectant mother or had borne a child within the previous twelve months.

(5) No charge shall be made under section 78(1) for the supply under this Act of lenses for any glasses if—

(a) the person for whom the glasses are supplied was at the relevant time of the age of 10 or more and either under the age of 16 or receiving full-time education in a school; and

- (b) the frames of the glasses are of any description specified in the Statement referred to in sub-paragraph (1) above, or any corresponding regulation for the time being in force.
- (6) Regulations made with respect to any exemption under sub-paragraph (4) or sub-paragraph (5) above may provide that it shall be a condition of the exemption that such declaration is made in such form and manner, or such certificate or other evidence is supplied in such form and manner, as may be prescribed.
- (7) In sub-paragraphs (4) and (5), " the relevant time " means—
 - (a) in relation to a dental appliance supplied otherwise than under Part II, or to an optical appliance supplied under this Act, the time of the examination or testing of sight leading to the supply of the appliance, or the first such examination or testing;
 - (b) in relation to a dental appliance supplied under Part II, the time of the making of the contract or arrangement in pursuance of which the appliance is supplied.
- (8) References in section 78 and in this paragraph to the supply of appliances shall be construed as including references to their replacement, but no charge shall be made under those provisions in respect of the replacement of dentures or lenses if the replacement is required in consequence of loss or damage.

Regulations under section 79—charges for dental treatment

- 3 (1) The amount of the charge payable under section 79(1) above in respect of services provided in pursuance of any contract or arrangement shall be (subject to sub-paragraph (3) below) the current authorised fee for all services so provided in respect of which a charge is payable under that section or a prescribed sum, whichever is the less.

In this sub-paragraph " current authorised fee ", in relation to any services, means the fee authorised in accordance with regulations for the time being in force under this Act as the fee payable to the practitioner in respect of those services, but does not include—

- (a) any fee so authorised in respect of a visit to a patient by a practitioner; or
- (b) any fee or part of a fee payable by the patient in pursuance of regulations under—
 - (i) section 79(2) above ;
 - (ii) section 81 above, in relation to paragraph (b) of that section ;
 - (iii) section 82 above, in relation to paragraph (b) of that section.
- (2) Regulations may vary the amount or the maximum amount of any charge (including power to direct that the charge shall not be payable) authorised by section 79(1); and no charge shall be made under that section for any services provided in pursuance of a contract or arrangement under which the first examination took place before 29th May 1952.
- (3) Where any services in respect of which a charge is payable under section 78 above are provided in pursuance of a contract or arrangement, the charges payable under that section and section 79(1) in respect of all services provided in pursuance of the contract or arrangement shall not exceed a prescribed sum in the aggregate.

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- (4) No charge shall be made under section 79(1) in respect of services provided for any person who, on the date of the contract or arrangement for the services—
- (a) was under 21 years of age (other than for services in respect of the relining of a denture or the addition of teeth, bands or wires to a denture),
 - (b) was under 16 years of age or was receiving full-time education in a school,
 - (c) was an expectant mother or had borne a child within the previous 12 months,
- if (in any such case) a declaration to that effect is made by or on behalf of that person in such form and manner as may be prescribed.
- (5) Regulations under section 79(1), in relation to—
- (a) the persons described in paragraphs (b) and (c) of sub-paragraph (4) above, and
 - (b) any exemption in respect of the relining of a denture or the addition of teeth, bands or wires to a denture,
- may provide that it shall be a condition of the exemption that such declaration is made in such form and manner, or such certificate or other evidence is supplied in such form and manner, as may be prescribed.

Miscellaneous Provisions

- 4 For the purposes of paragraph (a) of section 5(1) above and paragraph 1(a) of Schedule 1 to this Act (which provide for the Secretary of State to arrange for the free medical treatment of certain pupils) any charge made in pursuance of regulations under this Act in respect of the supply of drugs, medicines or appliances shall be disregarded.
- 5 Regulations may provide for the remission or repayment of any charges which, in pursuance of section 78(1) above or section 79(1) above, are payable apart from this paragraph by a person whose income as calculated in accordance with regulations is at less than the prescribed rate, in respect of the supply or replacement of dental or optical appliances or in respect of services provided as part of the general dental services.
- 6 For the purposes of sections 77 and 78 above and of this Schedule, a bridge, whether fixed or removable, which takes the place of any teeth shall be deemed to be a denture having that number of teeth ; and the reference in paragraph (a) of section 79(1) to appliances described in paragraph 2(1) of this Schedule shall be construed accordingly.
- 7 References in this Schedule to full-time education in a school mean full-time instruction in a school within the meaning of the Education Act 1944 or the Education (Scotland) Act 1962.

SCHEDULE 13

Sections 114(2) and 116(2).

ADDITIONAL PROVISIONS AS TO THE HEALTH SERVICE COMMISSIONER
FOR ENGLAND AND THE HEALTH SERVICE COMMISSIONER FOR WALES

PART I

PROCEDURAL AND OTHER PROVISIONS

Procedure in respect of investigations

- 1 Where the Commissioner proposes to conduct an investigation pursuant to a complaint under Part V of this Act, he shall afford to the relevant body concerned, and to any other person who is alleged in the complaint to have taken or authorised the action complained of, an opportunity to comment on any allegations contained in the complaint.
- 2 Every such investigation shall be conducted in private, but except for that the procedure for conducting an investigation shall be such as the Commissioner considers appropriate in the circumstances of the case.
- 3 Without prejudice to the generality of paragraph 2 above, the Commissioner may obtain information from such persons and in such manner, and make such inquiries, as he thinks fit, and may determine whether any person may be represented, by counsel or solicitor or otherwise, in the investigation.
- 4 The Commissioner may, if he thinks fit, pay to the person by whom the complaint was made and to any other person who attends or furnishes information for the purposes of an investigation under Part V of this Act—
- (a) sums in respect of expenses properly incurred by them,
 - (b) allowances by way of compensation for the loss of their time,
- in accordance with such scales and subject to such conditions as may be determined by the Minister for the Civil Service.
- 5 The conduct of an investigation under Part V of this Act shall not affect any action taken by the relevant body concerned, or any power or duty of that body to take further action with respect to any matters subject to the investigation.
- 6 Where the person aggrieved has been removed from the United Kingdom under any Order in force under the Immigration Act 1971 he shall, if the Commissioner so directs, be permitted to re-enter and remain in the United Kingdom, subject to such conditions as the Secretary of State may direct, for the purposes of the investigation.

Evidence

- 7 For the purposes of an investigation under Part V of this Act the Commissioner may require any employee, officer or member of the relevant body concerned or any other person who in his opinion is able to furnish information or produce documents relevant to the investigation to furnish any such information or produce any such document.
- 8 For the purposes of any such investigation the Commissioner shall have the same powers as the Court (which in this Schedule means, in relation to England and Wales, the High Court, in relation to Scotland, the Court of Session, and in relation

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to Northern Ireland, the High Court of Northern Ireland) in respect of the attendance and examination of witnesses (including the administration of oaths or affirmations and the examination of witnesses of abroad) and in respect of the production of documents.

9 No obligation to maintain secrecy or other restriction upon the disclosure of information obtained by or furnished to persons in Her Majesty's service, whether imposed by any enactment or by any rule of law, shall apply to the disclosure of information for the purposes of an investigation under Part V of this Act. The Crown shall not be entitled in relation to any such investigation to any such privilege in respect of the production of documents or the giving of evidence as is allowed by law in legal proceedings.

10 No person shall be required or authorised by Part V of this Act and this Schedule to furnish any information or answer any question relating to proceedings of the Cabinet or of any committee of the Cabinet or to produce so much of any document as relates to such proceedings.

For the purposes of this paragraph a certificate issued by the Secretary of the Cabinet with the approval of the Prime Minister and certifying that any information, question, document, or part of a document so relates shall be conclusive.

11 Subject to paragraph 9 above, no person shall be compelled for the purposes of an investigation under Part V of this Act to give any evidence or produce any document which he could not be compelled to give or produce in civil proceedings before the Court.

Obstruction and contempt

12 If any person without lawful excuse obstructs the Commissioner or any officer of the Commissioner in the performance of his functions under Part V of this Act and this Schedule, or is guilty of any act or omission in relation to an investigation under that Part which, if that investigation were a proceeding in the Court, would constitute contempt of court, the Commissioner may certify the offence to the Court.

13 Where an offence is certified under paragraph 12 above, the Court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, deal with him in any manner in which the Court could deal with him if he had committed the like offence in relation to the Court.

14 Nothing in paragraphs 12 and 13 above shall be construed as applying to the taking of any such action as is mentioned in paragraphs 5 and 6 above.

Secrecy of information

15 The Commissioner and his officers hold office under Her Majesty within the meaning of the Official Secrets Act 1911.

16 Information obtained by the Commissioner or his officers in the course of or for the purposes of an investigation under Part V of this Act shall not be disclosed except—

- (a) for the purposes of the investigation and of any report to be made in respect of the investigation under that Part,
- (b) for the purposes of any proceedings for an offence under the Official Secrets Acts 1911 to 1939 alleged to have been committed in respect of information obtained by the Commissioner or any of his officers by virtue

of that Part or for an offence of perjury alleged to have been committed in the course of an investigation under that Part or for the purposes of an inquiry with a view to the taking of such proceedings, or

(c) for the purposes of any proceedings under paragraphs 12 and 13 above, and the Commissioner and his officers shall not be called upon to give evidence in any proceedings (other than those mentioned in this paragraph) of matters coming to his or their knowledge in the course of an investigation under that Part.

- 17 A Minister of the Crown may give notice in writing to the Commissioner, with respect to any document or information specified in the notice, or any class of documents or information so specified, that in the Minister's opinion the disclosure of that document or information, or of documents or information of that class, would be prejudicial to the safety of the State or otherwise contrary to the public interest.
- 18 Where a notice under paragraph 17 above is given nothing in this Schedule shall be construed as authorising or requiring the Commissioner or any officer of the Commissioner to communicate to any person or for any purpose any document or information specified in the notice, or any document or information of a class so specified.

PART II

Matters not subject to investigation by the Health Service Commissioner for England or the Health Service Commissioner for Wales

- 19 The following matters are not subject to investigation by the Health Service Commissioner for England or the Health Service Commissioner for Wales—
- (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 any other person.
 - (2) Action taken by a Family Practitioner Committee in the exercise of its functions under the National Health Service (Service Committees and Tribunal) Regulations 1974, 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 this Act.
 - (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 there shall be disregarded 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.
 - (5) Action which has been, or is, the subject of an inquiry under section 84 above.

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SCHEDULE 14

Section 129.

TRANSITIONAL PROVISIONS AND SAVINGS

General

- 1 (1) In so far as—
- (a) any agreement, appointment, apportionment, authorisation, determination, instrument, order or regulation made by virtue of an enactment repealed by this Act, or
 - (b) any approval, consent, direction, or notice given by virtue of such an enactment, or
 - (c) any complaint made of investigation begun by virtue of such an enactment, or
 - (d) any other proceedings begun by virtue of such an enactment, or
 - (e) anything done or having effect as if done,
- could, if a corresponding enactment in this Act were in force at the relevant time, have been made, given, begun or done by virtue of the corresponding enactment, it shall, if effective immediately before the corresponding enactment comes into force, continue to have effect thereafter as if made, given, begun or done by virtue of that corresponding enactment.
- (2) Where—
- (a) there is any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or to a thing omitted, or to an event which has occurred, under or for the purposes of or by reference to or in contravention of any provisions of this Act, then
 - (b) that reference shall be construed (subject to its context) as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the corresponding event which occurred, as the case may be, under or for the purposes of or by reference to or in contravention of any of the corresponding provisions of the repealed enactments.
- 2 Where any instrument or document refers either expressly or by implication to an enactment repealed by this Act the reference shall (subject to its context) be construed as or as including a reference to the corresponding provision of this Act.
- 3 Where any period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act has effect as if its corresponding provision had been in force when that period began to run.

Medical schools in London

- 4 Notwithstanding the repeal by this Act of section 15 of the National Health Service Act 1946—
- (a) where a scheme was prepared and submitted under subsection (1) and approved under subsection (2) of that section, that scheme may be amended by a new scheme in accordance with subsection (3) of that section ; and
 - (b) any scheme prepared, submitted and approved under that section, or as amended under paragraph (a) above, shall continue to have effect, or have effect, as if that section had not been repealed.

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Section 36 of the National Health Service Act 1946

- 5 Notwithstanding the repeal by this Act of section 36 of the National Health Service Act 1946 (compensation for loss of right to sell a medical practice) that section shall continue to have such effect as may be necessary for the purposes of sections 1 to 7 of the National Health Service (Amendment) Act 1949.

The saving made by this paragraph applies to section 51 of the National Health Service Reorganisation Act 1973 (which amended section 36 of the National Health Service Act 1946), and to any regulations made under that section 36 which were in force immediately before the coming into force of this Act.

Local Acts and charters

- 6 (1) Where at the passing of the National Health Service Act 1946—
- (a) there was in force a local or private Act or charter containing provisions which appear to the Secretary of State either to be inconsistent with any of the provisions of that Act of 1946 as reproduced in this Act, or to have been made redundant in consequence of the passing of that Act of 1946, then
 - (b) the Secretary of State may by order make such alterations, whether by amendment or by repeal, in the local or private Act or charter as appear to him to be necessary for the purpose of bringing its provisions into conformity with the provisions of that Act of 1946 as so reproduced, or for the purpose of removing redundant provisions, as the case may be.
- (2) Any provision of a charter defining or restricting—
- (a) the objects of any hospital to which section 6 of that Act of 1946 applied, or
 - (b) the purposes for which any property transferred to the Secretary of State or the Board of Governors of a teaching hospital by virtue of that Act of 1946 may be used,
- shall cease to have effect.

Persons authorised to provide pharmaceutical services

- 7 (1) A person who for three years immediately before 16th December 1911 acted as a dispenser to a medical practitioner or a public institution is in the same position in relation to the undertaking referred to in section 43(2) above regarding the dispensing of medicines as a registered pharmacist.
- (2) Nothing in the provisions of the National Health Service Act 1946 as those provisions are reproduced in this Act affects the rights and privileges conferred by the Apothecaries Act 1815 upon any person qualified under that Act to act as an assistant to any apothecary in compounding and dispensing medicines.

Disqualification of practitioners

- 8 Where by virtue of section 42(8) of the National Health Service Act 1946 a person's name was, immediately before the coming into force of this Act, disqualified for inclusion in any list referred to in section 42(1) of that Act, that person's name is disqualified for inclusion in any list referred to in section 46(1) above, until such time as the Tribunal or the Secretary of State directs to the contrary.

Regulations made under section 49 above shall have effect for the purposes of this paragraph.

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Definition of " local authority "

- 9 The definition of " local authority" in section 128(1) above includes any joint board constituted under the Public Health Act 1936 or under the Public Health (London) Act 1936 or any enactment repealed by those Acts, or any port health authority constituted under those Acts or under any Act passed before those Acts.

Sections 3 and 4 of the Health Services and Public Health Act 1968

- 10 (1) Notwithstanding the repeal by this Act of section 3 of the Health Services and Public Health Act 1968 (transitional provisions relating to accommodation and treatment of private patients), subsection (2) of that section continues to have the same effect in relation to an undertaking given before 31st March 1969 under section 5 of the National Health Service Act 1946 (accommodation for private patients) as it had immediately before the coming into force of this Act.
- (2) An undertaking given before the coming into force of section 4(1) of the Health Services and Public Health Act 1968 in respect of payment under section 4 of the National Health Service Act 1946 (accommodation available on part payment) continues to have the same effect as it had immediately before the coming into force of this Act.

Vehicles under section 33 of the Health Services and Public Health Act 1968

- 11 The provision of vehicles as mentioned in section 33 of the Health Services and Public Health Act 1968, and the taking of any such action as is mentioned in subsection (2) of that section, shall for the purposes of the National Health Service Act 1946 be treated as having been included among hospital and specialist services provided under Part II of that Act of 1946 as from its commencement.

Prevention, care and after-care

- 12 Any arrangements made under section 28(1) of the National Health Service Act 1946 by a local health authority which were in force immediately before 9th September 1968 shall—
- (a) so far as they could be made under paragraph 2(1) of Schedule 8 to this Act, continue to have effect as if so made;
 - (b) so far as they relate to any matters falling within section 3(1) of the Disabled Persons (Employment) Act 1958, continue to have effect as if made under that section.

Saving of amendments

- 13 (1) Notwithstanding the repeal by this Act of section 76 and Part I of Schedule 10 to the National Health Service Act 1946, and section 57(1) and Schedule 4 to the National Health Service Reorganisation Act 1973—
- (a) the amendments made by Part I of Schedule 10 to that Act of 1946 to the Voluntary Hospitals (Paying Patients) Act 1936 and to the Public Health Act 1936, and
 - (b) the amendments made by paragraphs 2 to 4, 6 to 9, 40, 44, 45, 48 and 49, 56 and 57, 61, 63 and 64, 68 to 71, 73 to 78, 80 to 83, 86 to 91, 93, 95 and 96, 99, 102, 106 to 109, 111, 122 and 123, 124(1) to (4), 125 to 128, 130 to 134, 136 and 151 and 152 of Schedule 4 to that Act of 1973,

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shall continue to have the same effect as they had immediately before the coming into force of this Act, subject to any amendments made by this Act.

- (2) Nothing in this Act affects the Secretary of State's power under section 58 of the National Health Service Reorganisation Act 1973 to bring into force paragraph 131 of Schedule 4 to that Act.

Transfers of property by voluntary organisations

- 14 Notwithstanding the repeal by this Act of section 23(2) of the National Health Service (Amendment) Act 1949, section 23(1) of that Act shall be deemed to have had effect as from 5th July 1948.

Mental Health Act 1959

- 15 (1) Any regulations under section 7 of the Mental Health Act 1959 in force immediately before 9th September 1968, shall, so far as they could be made under paragraph 2 of Schedule 8 to this Act, have effect as if so made.
- (2) Any institution provided under section 97 of the Mental Health Act 1959, or deemed to be so provided when that section came into force, shall be deemed to be provided in pursuance of section 4 above.

The National Health Service Reorganisation Act 1973

- 16 (1) Nothing in this Act affects any remaining duty of the Secretary of State in connection with the arrangements for the reorganisation of the health service in accordance with section 1 of the National Health Service Reorganisation Act 1973.
- (2) The repeal by this Act of section 57(1) of and Schedule 4 to the National Health Service Reorganisation Act 1973 does not affect any exercise of the Secretary of State's powers in relation to that Schedule conferred on him by section 15(3) of that Act.

Complaints in respect of preserved Boards or bodies abolished under section 14 of the National Health Service Reorganisation Act 1973

- 17 (1) Regulations may provide that where a relevant body within the meaning of section 34 of the National Health Service Reorganisation Act 1973 is abolished by virtue of section 14 of that Act, any prescribed provisions of Part V of this Act and Schedule 13 to this Act shall apply, with or without prescribed modifications, in relation to a complaint which—
- (a) was duly made to a Commissioner under Part V before the date of the abolition, or
 - (b) was made in accordance with the regulations within the period of one year beginning with that date.
- (2) For so long as a Board of Governors of a teaching hospital is a preserved Board within the meaning of section 15(6) of the National Health Service Reorganisation Act 1973, that Board of Governors shall be treated as if it were a relevant body for the purposes of Part V of this Act by virtue of section 109 above.

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Permission deemed to have been granted under section 9(5) of the Health Services Act 1976

18 Where under any arrangements terminated by virtue of section 9(5) of the Health Services Act 1976—

- (a) a person was deemed to have been granted under that section permission to use accommodation and facilities to the same extent and for the same purposes as were covered by those arrangements, then
- (b) that person shall be deemed to have been granted under section 72 above the like permission (and the provisions of that section shall apply accordingly).

SCHEDULE 15

Section 129.

CONSEQUENTIAL AMENDMENTS

ACTS

The Midwives Act 1936 c.40

1 In section 2(3) of the Midwives Act 1936, the first reference to that Act shall be construed as including a reference to sections 2 and 3 of this Act.

The Education Act 1944 c.31

2 In section 48(4) of the Education Act 1944, for the words " section 3(1) or 3(2)(a)(i) of the National Health Service Reorganisation Act 1973 " substitute " section 5(1) of the National Health Service Act 1977 or paragraph 1(a)(i) of Schedule 1 to that Act ".

The Education Act 1946 c.50

3 In paragraph (c) of section 4(2) of the Education Act 1946, for the words " section 3 of the National Health Service Reorganisation Act 1973 " substitute " paragraph (a) of section 5(1) of the National Health Service Act 1977 and Schedule 1 to that Act ".

The Polish Resettlement Act 1947 c.19

4 In section 4(1) of the Polish Resettlement Act 1947, for the words " National Health Service Act, 1946, or the National Health Service Reorganisation Act 1973" substitute " National Health Service Act 1977 ", and for the words " those Acts " substitute " that Act ".

The National Assistance Act 1948 c.29

5 In paragraph (c) of section 21(7) of the National Assistance Act 1948, for the words " National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 ".

6 In paragraph (b) of section 29(6) of the National Assistance Act 1948, for the words " National Health Service Act, 1946, the National Health Service Reorganisation Act 1973 " substitute " National Health Service Act 1977 ".

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- 7 In section 47(8) of the National Assistance Act 1948, for the words "National Health Service Act 1946, or the National Health Service Reorganisation Act 1973" substitute " National Health Service Act 1977 ".

The Law Reform (Personal Injuries) Act 1948 c.41

- 8 In section 2(4) of the Law Reform (Personal Injuries) Act 1948, for the words " National Health Service Act 1946" substitute " National Health Service Act 1977 ".

The Children Act 1948 c.43

- 9 In section 59(1) of the Children Act 1948, in the definition of " hospital", for the words " section seventy-nine of the National Health Service Act, 1946," substitute " section 128(1) of the National Health Service Act 1977 ".

The Nurseries and Child-Minders Regulation Act 1948 c.53

- 10 In section 13(1) of the Nurseries and Child-Minders Regulation Act 1948, in the definition of " hospital", for the words " section seventy-nine of the National Health Service Act 1946," substitute " section 128(1) of the National Health Service Act 1977 ".

The National Service Act 1948 c.64

- 11 In paragraph 3 of Schedule 1 to the National Service Act 1948, for the words " section 12 of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 c.65

- 12 In Part I of Schedule 2 to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951—
- (a) in paragraph 15, in the first column, for the words from " Regional" to " 1946 " substitute " Board of Governors preserved under section 15(1) of the National Health Service Reorganisation Act 1973, or a health authority or other body constituted under the National Health Service Act 1977 ", and, in the second column, before "The Board", insert " The Authority "; and
 - (b) in paragraph 16, in the first column, for the words " National Health Service Act, 1946" substitute " National Health Service Act 1977 " and, in the second column, for the words " The Executive Council " substitute " The Area Health Authority ".

The Landlord and Tenant Act 1954 c.56

- 13 In section 57(6) of the Landlord and Tenant Act 1954, for the words "National Health Service Act 1946 and the National Health Service Reorganisation Act 1973" substitute " National Health Service Act 1977 ".

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The Medical Act 1956 c.76

- 14 (1) In section 16(1) of the Medical Act 1956, for the words " section 2 of the National Health Service Reorganisation Act 1973 " substitute " sections 2 and 3 of the National Health Service Act 1977 ".
- (2) In paragraph (a) of subsection (2) of that section, for the words "Part IV of the National Health Service Act 1946" substitute " Part II of the National Health Service Act 1977 ".

The Nurses Act 1957 c. 15

- 15 In section 13(1) of the Nurses Act 1957, for the words " section 47 of the National Health Service Reorganisation Act 1973 " substitute " section 97 of the National Health Service Act 1977 ".
- 16 In section 33(1) of the Nurses Act 1957, in the definition of " hospital " for the words " National Health Service Act, 1946 " substitute " National Health Service Act 1977 ", and in the definition of " region ", for the words " National Health Service Reorganisation Act 1973 " substitute " National Health Service Act 1977 ".
- 17 In paragraph 3(e) of Schedule 1 to the Nurses Act 1957, for the words " section 2 of the National Health Service Reorganisation Act 1973 " substitute " sections 2 and 3 of the National Health Service Act 1977 ".

The Dentists Act 1957 c. 28

- 18 In section 42(4) of the Dentists Act 1957, for the words " section 2 or 3 of the National Health Service Reorganisation Act 1973 " substitute " sections 2 and 3 and paragraph (a) of section 5(1) and Schedule 1 of the National Health Service Act 1977 ", and for the words " the said sections 2 or Article 5 " substitute " section 2 and section 3 of that Act of 1977 or section 2 of that Act of 1972 or Article 5 of that Order of 1972 ".

The Opticians Act 1958 c. 32

- 19 In paragraph (b) of section 21(2) of the Opticians Act 1958, for the words "Part IV of the National Health Service Act, 1946, the National Health Service Reorganisation Act 1973 " substitute " the National Health Service Act 1977 ".
- 20 In section 30(1) of the Opticians Act 1958—
- (a) in the definition of " health service ophthalmic lists "—
 - (i) for the word " supplementary " where it first occurs substitute " general ";
 - (ii) for the words " section forty-one of the National Health Service Act 1946 " substitute " section 39 of the National Health Service Act 1977 ";
 - (b) in the definition of " health service tribunal", for the words " Seventh Schedule to the said Act of 1946" substitute " Schedule 9 to the National Health Service Act 1977 ".

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The Disabled Persons (Employment) Act 1958 c. 33

- 21 In section 3(2) of the Disabled Persons (Employment) Act 1958, for the words " section twenty-eight of the National Health Service Act, 1946 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".

The Public Records Act 1958 c. 51

- 22 In Part I of the Table in Schedule 1 to the Public Records Act 1958, in the entry relating to the Department of Health and Social Security (formerly the entry relating to the Ministry of Health) after the words " National Health Service Reorganisation Act 1973 " add " or section 92 of the National Health Service Act 1977 ", and after the words " said Act of 1973 " add " or section 90 or 91 of the National Health Service Act 1977 ".

The Mental Health Act 1959 c. 72

- 23 In section 3(1) of the Mental Health Act 1959, for " National Health Service Reorganisation Act 1973" substitute " National Health Service Act 1977 ".
- 24 (1) In subsection (1) of section 8 of the Mental Health Act 1959, for the words " section twenty-eight of the National Health Service Act 1946" substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".
- (2) In subsection (2) of that section, for the words " Part III of the National Health Service Act 1946" substitute " Schedule 8 to the National Health Service Act 1977 ".
- (3) In subsection (4) of that section, omit the words " Part III of the National Health Service Act, 1946, and under " and after the words " National Assistance Act, 1948 " add " and under Schedule 8 to the National Health Service Act 1977 ".
- 25 In section 9(1) of the Mental Health Act 1959, for the words " section twenty-eight of the National Health Service Act, 1946" substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".
- 26 In section 28(3) of the Mental Health Act 1959, for the words " section five of the National Health Service Act, 1946 " substitute " section 65 or section 66 of the National Health Service Act 1977 ".
- 27 In section 41(3) of the Mental Health Act 1959, for the words " National Health Service Act, 1946 " substitute " National Health Service Act 1977 " and for the words " Part II of that Act" substitute " Part I of that Act ".
- 28 In section 59(1) of the Mental Health Act 1959, for the words "National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 ".
- 29 In paragraph (b) of section 128(1) of the Mental Health Act 1959, omit the words " the National Health Service Act, 1946, or ", and the words " or the National Health Service Reorganisation Act 1973" and after the words "National Assistance Act 1948" insert " or the National Health Service Act 1977 ".
- 30 In section 133(2) of the Mental Health Act 1959, for the words " National Health Service Act 1946 and the National Health Service Reorganisation Act 1973 " substitute " National Health Service Act 1977 ", and for the words " those Acts " substitute " that Act ".

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31 In section 135(6) of the Mental Health Act 1959, for the words " Part I of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".

32 In section 142(2) of the Mental Health Act 1959, for the words " section fifty-seven of the National Health Service Act 1946 " substitute " section 85 of the National Health Service Act 1977 ".

33 In section 147(1) of the Mental Health Act 1959 (interpretation)—
(a) in the definition of " hospital", for the words " National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 " , and
(b) in the definition of " special hospital", for the words "National Health Service Reorganisation Act 1973" substitute " National Health Service Act 1977 ".

34 In section 154(2) of the Mental Health Act 1959, for the words " subsection (3) of section eighty of the National Health Service Act 1946 " substitute " section 130(4) of the National Health Service Act 1977 ".

The Health Visiting and Social Work (Training) Act 1962 c.33

35 In sections 3(5) and 5(1) of the Health Visiting and Social Work (Training) Act 1962, for the words " Part III of the National Health Service Act 1946 " substitute in each of those subsections " Schedule 8 to the National Health Service Act 1977 ".

The National Health Service Act 1966 c.8

36 In section 2(1) of the National Health Service Act 1966, for the words " National Health Service Act 1946 " substitute " National Health Service Act 1977 ".

37 In section 10 of the National Health Service Act 1966—
(a) in subsection (1), for the words " Part IV of the National Health Service Act 1946" substitute " Part II of the National Health Service Act 1977 " , and in paragraph (a) of that subsection for the words "section 43 of the said Act of 1946 " substitute " section 56 of the said Act of 1977 " ;
(b) for subsection (3) substitute—

“(3) Section 29(4) of the National Health Service Act 1977 shall cease to have effect on the coming into operation of this section.”

The Building Control Act 1966 c.27

38 In paragraph (h) of section 5(1) of the Building Control Act 1966, for the words "section 5 of the National Health Service Reorganisation Act 1973 " substitute " sections 8 to 11 of the National Health Service Act 1977 ".

The General Rate Act 1967 c.9

39 In paragraph (b) of section 45 of the General Rate Act 1967, for the words " section 28(1) of the National Health Service Act 1946 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 " , and for the words " said section 28(1) " substitute " said paragraph 2 " .

Status: This is the original version (as it was originally enacted).

The Superannuation (Miscellaneous Provisions) Act 1967 c.28

- 40 In section 7(1) of the Superannuation (Miscellaneous Provisions) Act 1967, in paragraph (a) for the words "National Health Service Acts 1946 to 1973" substitute "National Health Service Act 1977", and in paragraph (b) for "Acts of 1946 to 1973" substitute "Act of 1977".

The Abortion Act 1967 c.87

- 41 In section 6 of the Abortion Act 1967, for the words "National Health Service Acts 1946 to 1966" substitute "National Health Service Act 1977".

The Leasehold Reform Act 1967 c.88

- 42 In paragraph (c) of section 28(6) of the Leasehold Reform Act 1967, for the words "National Health Service Acts 1946 to 1973" substitute "National Health Service Act 1977".

The Health Services and Public Health Act 1968 c.46

- 43 In paragraph (b) of section 45(4) of the Health Services and Public Health Act 1968, for the words "National Health Service Act 1946 or Part I of this Act or the National Health Service Reorganisation Act 1973" substitute "National Health Service Act 1977".

- 44 In section 59(2) of the Health Services and Public Health Act 1968, for the words "Part IV of the National Health Service Act 1946" substitute "Part II of the National Health Service Act 1977".

- 45 (1) In paragraph (b) of section 63(2) of the Health Services and Public Health Act 1968, for the words "Part IV of the 1946 Act" substitute "Part II of the 1977 Act".

(2) In subsection (8) of that section—

- (a) for the words "1946 Act" means the National Health Service Act 1946 ' substitute ' " 1977 Act " means the National Health Service Act 1977 ';
- (b) in paragraph (a) of the definition of "the relevant enactments" for the words "and Part I of this Act and section 45 thereof" substitute "section 45 of this Act and the National Health Service Act 1977";
- (c) in paragraph (b) of the definition of "the relevant enactments" for the words "and Part I of this Act and section 45 thereof and the National Health Service Reorganisation Act 1973" substitute "section 45 of this Act and the National Health Service Act 1977".

- 46 In section 64(3) of the Health Services and Public Health Act 1968—

- (a) omit paragraph (a)(ii);
- (b) omit paragraph (a)(xvi);
- (c) after paragraph (a)(xvii) add " (xviii) the National Health Service Act 1977.
"

- 47 In section 65(3) of the Health Services and Public Health Act 1968—

- (a) omit paragraph (b)(ii);
- (b) omit paragraph (b)(xvii);
- (c) after paragraph (b)(xviii) add " (xix) the National Health Service Act 1977
".

Status: This is the original version (as it was originally enacted).

The Social Work (Scotland) Act 1968 c.49

- 48 In section 86(3) of the Social Work (Scotland) Act 1968, for "Part II of the National Health Service Act 1946" substitute " sections 2 and 3 of the National Health Service Act 1977 ".

The Medicines Act 1968 c.67

- 49 In section 131(5) of the Medicines Act 1968, for the words " National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 ".
- 50 In section 132(1) of the Medicines Act 1968, in the definition of " health centre ", for the words " section 2 of the National Health Service Reorganisation Act 1973 " substitute " section 2 or 3 of the National Health Service Act 1977 ".

The Local Authority Social Services Act 1970 c.42

- 51 In Schedule 1 of the Local Authority Social Services Act 1970, for the entry relating to the National Health Service Act 1946 substitute in the appropriate chronological order—
- (a) in the column headed " Enactment", the words " National Health Service Act 1977 Schedule 8 " ;
 - (b) in the column headed " Nature of functions ", the words " Care of mothers and young children ; prevention, care and after-care ; home help and laundry facilities "

The Vehicles (Excise) Act 1971 c.10

- 52 In paragraph (b) of section 7(2) of the Vehicles (Excise) Act 1971, for the words " section 33(3) of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 2 to the National Health Service Act 1977 ".

The Tribunals and Inquiries Act 1971 c.62

- 53 In Part I of Schedule 1 to the Tribunals and Inquiries Act 1971—
- (a) in paragraph 17(a), for the words " section 5 of the National Health Service Reorganisation Act 1973 " substitute " section 10 of the National Health Service Act 1977 ";
 - (b) in paragraph 17(b), for the words " section 42 of the [National Health Service Act 1946 \(c.81\)](#)" substitute " section 46 of the National Health Service Act 1977 ";
 - (c) in paragraph 17(c), for the words "National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 "

The Finance Act 1971 c.68

- 54 In section 7 of the Finance Act 1971, for the words " National Health Service Act 1946 and the Health Services and Public Health Act 1968 " substitute " National Health Service Act 1977 ".
- 55 In paragraph 1(1) of Schedule 13 to the Finance Act 1971, for " National Health Service Act 1946 " substitute " National Health Service Act 1977 ".

Status: This is the original version (as it was originally enacted).

The Road Traffic Act 1972 c.20

- 56 In paragraph (a) of section 156(1) of the Road Traffic Act 1972 for the words " National Health Service Acts 1946 to 1973 " substitute " National Health Service Act 1977 ".

The Finance Act 1972 c.41

- 57 In section 70 of the Finance Act 1972 for the words " section 33(3)of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 2 to the National Health Service Act 1977 ".

The National Health Service Reorganisation Act 1973 c.32

- 58 In section 14(2) of the National Health Service Reorganisation Act 1973, for the words " subsection (2) or (3) of section 55 of the principal Act" substitute " subsection (1) or (2) of section 98 of the National Health Service Act 1977 ".

- 59 In section 15 of the National Health Service Reorganisation Act 1973, after subsection (5) insert the following subsection—

“(5A) So far as may be necessary for the purposes of subsections (3) to (5) above, any reference in those subsections to this Act, or to any instrument in force by virtue of this Act, shall (as the case may be) include a reference to—

- (a) any provision of this Act which has been repealed and re-enacted by the National Health Service Act 1977 ;
- (b) any instrument in force by virtue of a provision of this Act which has been repealed and re-enacted by that Act of 1977.”

The Local Government Act 1974 c.7

- 60 In paragraph (b) of section 29(5) of the Local Government Act 1974, for the words "that section (as applied by section 36 of the National Health Service Reorganisation Act 1973)" substitute " paragraph 16 of Schedule 13 to the National Health Service Act 1977 ".

- 61 In section 33 of the Local Government Act 1974—

- (a) in subsection (1), for the words " section 34 of the Act of 1973 " substitute " sections 109, 110, 113, 115 and 116 of the National Health Service Act 1977 ", and for the words " Part III of the Act of 1973 " substitute " Part V of the Act of 1977 ";
- (b) in subsection (3), for the words "Part III of the Act of 1973 " in the two places where they occur substitute " Part V of the Act of 1977 ";
- (c) in subsection (4), for the words "Part III of the Act of 1973 " substitute " Part V of the Act of 1977 ";
- (d) in subsection (5), for the words " that section as applied by section 36 of the Act of 1973 " substitute " paragraph 16 of Schedule 13 to the Act of 1977 ";
- (e) in subsection (6), for the words ' the " Act of 1973 " means the National Health Service Reorganisation Act 1973 ' substitute ' the " Act of 1977 " means the National Health Service Act 1977 '.

Status: This is the original version (as it was originally enacted).

The Trade Union and Labour Relations Act 1974 c.52

- 62 In paragraph (a) of section 30(2) of the Trade Union and Labour Relations Act 1974, for the words "section 33, section 38, section 40 or section 41 of the National Health Service Act 1946 " substitute " sections 29, 35, 38 or 41 of the National Health Service Act 1977 ".

The Social Security Act 1975 c.14

- 63 In paragraph (a) of section 35(6) of the Social Security Act 1975, for the words " section 12 of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".
- 64 In paragraph (a) of section 37A(6) of the Social Security Act 1975, for the words "section 33 of the Health Services and Public Health Act 1968" substitute " paragraph (a) of section 5(2) and Schedule 2 of the National Health Service Act 1977 ".

The House of Commons Disqualification Act 1975 c.24

- 65 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975, in the entry relating to the Medical Practices Committee, for the words " section 34 of the National Health Service Act 1946 " substitute " section 7 of the National Health Service Act 1977 ".

The Nursing Homes Act 1975 c.37

- 66 In section 2(3) of the Nursing Homes Act 1975—
- (a) in paragraph (a), for the words " National Health Service Act 1946 " substitute " National Health Service Act 1977 ";
 - (b) in paragraph (b), for the words "National Health Service Acts 1946 to 1973" substitute " National Health Service Act 1977 ";
 - (c) in paragraph (c), for the words " section 40(1) of the National Health Service Reorganisation Act 1973 " substitute " section 4 of the National Health Service Act 1977 ".

The Child Benefit Act 1975 c.61

- 67 In paragraph (c) of section 3(3) of the Child Benefit Act 1975, for the words " section 12 of the Health Services and Public Health Act 1968 " substitute " paragraph 2 of Schedule 8 to the National Health Service Act 1977 ".

The Health Services Act 1976 c.83

- 68 In section 2(1) of the Health Services Act 1976, for the words " Sections 3 to 5 below ", substitute " Section 3 below (and sections 68 to 71 of the National Health Service Act 1977) ".
- 69 In section 13(2) of the Health Services Act 1976—
- (a) in paragraph (a), for the words "National Health Service Acts " substitute " National Health Service Act 1977 "; and
 - (b) in paragraph (b) for the words " those Acts" substitute " that Act ".

Status: This is the original version (as it was originally enacted).

- 70 In section 14(5) of the Health Services Act 1976, for the words " National Health Service Acts " substitute " National Health Service Act 1977 ".

The Social Security (Miscellaneous Provisions) Act 1977 c.5

- 71 In paragraph (a) of section 13(3) of the Social Security (Miscellaneous Provisions) Act 1977, for the words " section 33 of the Health Services and Public Health Act 1968 " substitute " paragraph (a) of section 5(2) and Schedule 2 of the National Health Service Act 1977 " and for the words " subsection (3) of that section" substitute " paragraph 2 of that Schedule ".

ORDER

The Health and Personal Social Services (Northern Ireland) Order 1972 S.I. 1972/1265 (N.I. 14)

- 72 In paragraph 7 of Schedule 11 to the Health and Personal Social Services (Northern Ireland) Order 1972 for the words " Part IV of the National Health Service Act 1946 " substitute " Part II of the National Health Service Act 1977 ".

SCHEDULE 16

Section 129.

REPEALS

Chapter	Short Title	Extent of Repeal
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	Section 203.
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	The whole Act.
12, 13 & 14 Geo. 6. c. 93.	The National Health Service (Amendment) Act 1949.	Section 8. Sections 10 and 11. Sections 14 to 18. Sections 20(1) and 21. Section 23. Section 25. Sections 28 and 29(1). In section 32(1), the words from "and this Act" where they first occur to "1946 and 1949". In the Schedule, Part I.
14 & 15 Geo. 6.c. 31.	The National Health Service Act 1951	The whole Act.
15 & 16 Geo.6. & 1 Eliz. 2. c. 25.	The National Health Service Act 1952.	The whole Act.

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In section 8(4), the words "Part III of the National Health Service Act, 1946, and under " In section 128(1), in paragraph (b), the words "the National Health Service Act, 1946, or", and the words, "or the National Health Service Reorganisation Act 1973 " In Schedule 7, the entries relating to the National Health Service Act 1946, and the National Health Service (Amendment) Act 1949.
8 & 9 Eliz. 2. c. 49.	The Public Health Laboratory Service Act 1960.	The whole Act.
9 & 10 Eliz. 2. c. 19.	The National Health Service Act 1961.	The whole Act.
1964 c. 60.	The Emergency Laws (Re-enactments and Repeals) Act 1964.	Section 5. In section 15, the words " the National Health Service Acts 1946 to 1973 ", and the words " and the corresponding enactments of the Parliament of Northern Ireland "
1965 c. 42.	The Public Health (Notification of Births) Act 1965.	The whole Act.
1966 c. 8.	The National Health Service Act 1966.	In section 12(2), from the words " so far as " where they first occur to the words " and this Act".
1968 c. 46.	The Health Services and Public Health Act 1968.	Part I. In section 63(8), in paragraph (a) of the definition of " the relevant enactments ", the words " the 1946 Act". In section 64(3), paragraph (a)(ii) and paragraph (a)(xvi).

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
1968 c. 67. 1970 c. 42.	The Medicines Act 1968. The Local Authority Social Services Act 1970.	<p>In section 65(3), paragraph (b)(ii) and paragraph (b)(xvii).</p> <p>In section 79(1), from the words " and the " where they first occur to the words " 1946 to 1968 ".</p> <p>In Schedule 2, Part I.</p> <p>In Schedule 5, paragraph 11.</p> <p>In Schedule 1, in the entry relating to the Health Services and Public Health Act 1968, the references to sections 12 and 13 in the column headed " Enactment" and in the column headed " Nature of functions ".</p>
1972 c. 70.	The Local Government Act 1972.	In Schedule 23, paragraphs 1, 5, 15(1) and (2).
1973 c. 32.	The National Health Service Reorganisation Act 1973.	<p>Sections 2 to 13.</p> <p>In section 15(3), the words " and in particular nothing in any provision of this Act amending section 55 of the principal Act (which relates to accounts)".</p> <p>Sections 21 and 22.</p> <p>Section 28.</p> <p>Part III.</p> <p>Section 40.</p> <p>Sections 42 and 43.</p> <p>Sections 45 to 48.</p> <p>Sections 50 to 53.</p> <p>Section 54(1) and (5).</p> <p>In section 55(1), the definitions of " special hospital" and " Special Trustees ".</p> <p>In section 56—</p> <p>(a) in subsection (1), in paragraph (a), the words " or by virtue of section 34(1)(h)</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
		<p>or (6) of this Act or subsection (6) of the following section";</p> <p>(b) in subsection (3), the reference " 23(2)";</p> <p>(c) in subsection (4), the words " and any power conferred by section 7 of this Act to give directions by an instrument in writing";</p> <p>(d) in subsection (5), the words " other than section 7 ".</p> <p>In section 57, subsections (1) and (6).</p> <p>In section 58—</p> <p>(a) in subsection (1), the word " and " where it first occurs, and paragraph (a);</p> <p>(b) subsection (6).</p> <p>Schedules 1, 3 and 4.</p>
1974 c. 7.	The Local Government Act 1974.	In Schedule 6, paragraph 21.
1976 c. 48.	The Parliamentary and other Pensions and Salaries Act 1976.	Section 7.
1976 c. 59.	The National Health Service (Vocational Training) Act 1976.	The whole Act.
1976 c. 83.	The Health Services Act 1976.	<p>Section 2.</p> <p>Sections 4 and 5.</p> <p>Sections 7 to 11.</p> <p>In section 23—</p> <p>(a) in subsection (1), the definitions of "the 1946 Act" and "the National Health Service Acts";</p> <p>(b) subsections (3) to (5).</p> <p>In Schedule 1, Part V.</p> <p>Schedule 3.</p> <p>In Schedule 4, Part I.</p>