



National Health Service Act 1977

1977 CHAPTER 49

PART I

SERVICES AND ADMINISTRATION

Co-operation and assistance

[^{F1}28A Power to make payments towards expenditure on community services.

- (1) This section applies to the following [^{F2}[^{F3}bodies]—
- (a) a Health Authority;]. . .
 - [a Primary Care Trust^{F5}; and]]
 - ^{F4}(b) [a Local Health Board.]
 - ^{F6}(c)
- (2) [^{F7}A body to which] this section applies may, if they think fit, make payments—
- (a) to a local social services authority towards expenditure incurred or to be incurred by them in connection with [^{F8}any social services functions (within the meaning of the Local Authority Social Services Act 1970)], other than functions under section 3 of the ^{M1}Disabled Persons (Employment) Act 1958;
 - (b) to a district council, [^{F9}or to a Welsh county council or county borough council,] towards expenditure incurred or to be incurred by them in connection with their functions under section 8 of the ^{M2}Residential Homes Act 1980 or Part II of Schedule 9 to the ^{M3}Health and Social Services and Social Security Adjudications Act 1983 (meals and recreation for old people);
 - (c) to an authority who are a local education authority for the purposes of [^{F10}the Education Act 1996], towards expenditure incurred or to be incurred by them in connection with their functions under [^{F11}the Education Acts (within the meaning of that Act)], in so far as they perform those functions for the benefit of disabled persons;

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- [to a local housing authority within the meaning of the ^{M4}Housing Act 1985, towards expenditure incurred or to be incurred by them in connection with their functions under Part II of that Act (provision of housing); and]
- (e) to the following bodies, in respect of expenditure incurred or to be incurred by them in connection with the provision of housing accommodation,—
- [a registered social landlord within the meaning of the Housing Act ^{F13}(i) 1985 (see section 5(4) and (5) of that Act);.]
 - (ii) the Commission for the New Towns;
 - (iii) a new town development corporation;
 - (iv) an urban development corporation established under the ^{M5}Local Government, Planning and Land Act 1980;
 - (v) the Housing Corporation; ^{F14} . . .
 - ^{F14}(vi)
 - ^{F15}(vii)
- [A body to which this section applies may, if they think fit, make payments to a local ^{F16}(2A) authority towards expenditure incurred or to be incurred by the authority in connection with the performance of any of the authority’s functions which, in the opinion of the body,—
- (a) have an effect on the health of any individuals,
 - (b) have an effect on, or are affected by, any NHS functions, or
 - (c) are connected with any NHS functions.
- (2B) In this section “NHS functions” means functions exercised by a [^{F17}Strategic Health Authority,] Health Authority, Special Health Authority, Primary Care Trust [^{F18}, Local Health Board] or NHS trust.]
- (3) A payment under this section may be made in respect of expenditure of a capital or of a revenue nature or in respect of both kinds of expenditure.
- [No payment shall be made under this section in respect of any expenditure unless ^{F19}(4) the expenditure has been recommended for a payment under this section by a joint consultative committee on which the authority proposing to make the payment are represented.]
- (5) The Secretary of State may by directions prescribe conditions relating to payments under this section.
- (6) The power to give such directions may be exercised so as to make, as respects the cases in relation to which it is exercised, the same provision for all cases, or different provision for different cases or different classes of case, or different provision as respects the same case or class of case for different purposes.
- (7) Without prejudice to the generality of subsection (5) above, the power may be exercised—
- (a) so as to make different provision for England and Wales and different provision for different [^{F20}areas] in either; and
 - (b) so as to require, in such circumstances as may be specified,—
 - (i) repayment of the whole or any part of a payment under this section;
 - (ii) payment, in respect of property acquired with money paid under this section, of an amount representing the whole or part of an increase in the value of the property which has occurred since its acquisition.

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- (8) No payment shall be made under this section in respect of any expenditure unless the conditions relating to it—
- [accord with the advice given by the joint consultative committee in making the
- ^{F19}(a) recommendation for a payment under this section in respect of the expenditure in question; and]]
- (b) conform with the conditions prescribed for payments of that description under subsection (5) above.
- (9) Where [^{F21}the expenditure in respect of which a payment under this section is proposed to be made] is expenditure in connection with services to be provided by a voluntary organisation—
- (a) the [^{F22}body] who are to make the payment may make payments to the voluntary organisation towards the expenditure incurred or to be incurred by the organisation in connection with the provision of those services, instead of or in addition to making payments under subsection (2) [^{F23}or (2A)] above; and
- (b) an authority of one of the descriptions specified in paragraph (a), (b), (c) or (d) of subsection (2) above [^{F24}, or in subsection (2A) above,] and who have received payments under that subsection may make out of the sums paid to them payments to the voluntary organisation towards expenditure incurred or to be incurred by the organisation in connection with the provision of those services,
- but no payment shall be made under this subsection except subject to conditions [^{F25}which conform with the conditions prescribed for payments of that description under subsection (5) above.]

Textual Amendments

- F1** Ss. 28A, 28B substituted for s. 28A by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), [s. 1](#)
- F2** Words in s. 28A(1) substituted (28.6.1995 for specified purposes and otherwise 1.4.1996) by [1995 c. 17, ss. 2\(1\)\(3\), 8\(1\)](#), [Sch. 1 para. 17\(a\)](#)
- F3** Word in s. 28A(1) substituted (1.11.1999 for E., 1.12.2000 for W. for specified purposes and otherwise *prosp.*) by [1999 c. 8, ss. 29\(2\)\(a\), 67\(2\)](#); [S.I. 1999/2793, art. 2\(1\)\(a\)](#), [Sch. 1](#); [S.I. 2000/2991, art. 2\(1\)](#), [Sch. 1](#)
- F4** S. 28A(1)(b) substituted (1.4.2000 for E. and otherwise *prosp.*) by [1999 c. 8, ss. 29\(2\)\(b\), 67\(2\)](#); [S.I. 1999/2793, art. 2\(3\)\(b\)](#)
- F5** Word in s. 28A(1)(b) inserted (10.10.2002 for W., otherwise *prosp.*) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\), ss. 6\(3\), 42\(3\)](#), [Sch. 5 para. 13\(a\)\(ii\)](#); [S.I. 2002/2532, art. 2](#)
- F6** S. 28A(1)(c) inserted (10.10.2002 for W., otherwise *prosp.*) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\), ss. 6\(2\), 42\(3\)](#), [Sch. 5 para. 13\(a\)\(ii\)](#); [S.I. 2002/2532, art. 2](#)
- F7** Words in s. 28A(2) substituted (1.11.1999 for E. and 1.12.2000 for W.) by [1999 c. 8, ss. 65\(1\)](#), [Sch. 4 para. 14\(2\)](#); [S.I. 1999/2793, art. 2\(1\)\(a\)](#), [Sch. 1](#); [S.I. 2000/2991, art. 2\(1\)](#), [Sch. 1](#)
- F8** Words in s. 28A(2)(a) substituted (E.W.) (26.10.2000 for E. and 28.7.2001 for W.) by [2000 c. 22, ss. 107, 108\(4\)](#), [Sch. 5 para. 17](#); [S.I. 2000/2849, art. 2\(1\)](#)
- F9** Words in s. 28A(2)(b) inserted (1.4.1996) by [1994 c. 19, s. 22\(4\)](#), [Sch. 10 para. 11\(2\)](#) (with [Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396, art. 3](#), [Sch. 1](#)
- F10** Words in s. 28A(2)(c) substituted (1.11.1996) by [1996 c. 56, ss. 582\(1\), 583\(2\)](#), [Sch. 37 Pt. I para. 44\(a\)](#) (with [s. 1\(4\)](#), [Sch. 9 paras. 30, 39](#), [Sch. 39](#))
- F11** Words in s. 28A(2)(c) substituted (1.11.1996) by [1996 c. 56, ss. 582\(1\), 583\(2\)](#), [Sch. 37 Pt. I para. 44\(b\)](#) (with [s. 1\(4\)](#), [Sch. 9 paras. 30, 39](#), [Sch. 39](#))

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- F12** S. 28A(2)(d) substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 38(2)(a)**
- F13** S. 28A(2)(e)(i) substituted (E.W.) (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 9(2)**
- F14** S. 28A(2)(e)(vi) and word “and” immediately preceding repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 4**
- F15** S. 28A(2)(e)(vii) repealed (1.11.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**
- F16** S. 28A(2A)(2B) inserted (1.11.1999 for E., 1.12.2000 for W. for specified purposes and otherwise *prosp.*) by 1999 c. 8, **ss. 29(3), 67(2)**; S.I. 1999/2793, art. 2(1)(a), **Sch. 1**; S.I. 2000/2991, art. 2(1), **Sch. 1**
- F17** Words in s. 28A(2B) inserted (1.10.2002) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), ss. 1(3), 42(3), **Sch. 1 Pt. 1 para. 15**; S.I. 2002/2478, **art. 3(1)(c)**
- F18** Words in s. 28A(2B) inserted (10.10.2002 for W., otherwise *prosp.*) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), ss. 6(2), 42(3), **Sch. 5 para. 13(b)**; S.I. 2002/2532, **art. 2**
- F19** S. 28A(4)(8)(a) omitted (1.11.1999 for E. for specified purposes, 1.4.2000 for specified other purposes, 1.12.2000 for W. for specified purposes, and 1.1.2001 for other specified purposes) by virtue of 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(3)**; S.I. 1999/2793, art. 2(1)(a)(3)(c)(i), **Sch. 1**; S.I. 2000/2991, art. 2(1)(2), Schs. 1, 2
- F20** Word in s. 28A(7)(a) substituted (28.6.1995 for specified purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), **Sch. 1 para. 17(b)**
- F21** Words in s. 28A(9) substituted (1.11.1999 for E., 1.4.2000 for W. for specified purposes and otherwise 1.1.2001) by 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(4)(a)**; S.I. 1999/2793, art. 2(1)(a)(3)(c)(i), **Sch. 1**; S.I. 2000/2991, art. 2(1)(2), Schs. 1, 2
- F22** Word in s. 28A(9)(a) substituted (1.11.1999 for E. and 1.12.2000 for W.) by 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(4)(b)**; S.I. 1999/2793, art. 2(1)(a), **Sch. 1**; S.I. 2000/2991, art. 2(1), **Sch. 1**
- F23** Words in s. 28A(9)(a) inserted (1.4.2000 for E. and 1.1.2001 for W.) by 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(4)(c)**; S.I. 1999/2793, **art. 2(3)(c)(i)**; S.I. 2000/2991, art. 2(2), **Sch. 2**
- F24** Words in s. 28A(9)(b) inserted (1.4.2000 for E. and 1.1.2001 for W.) by 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(4)(d)**; S.I. 1999/2793, **art. 2(3)(c)(i)**; S.I. 2000/2991, art. 2(2), **Sch. 2**
- F25** Words in s. 28A(9)(b) substituted (1.11.1999 for E. for specified purposes, 1.4.2000 for specified other purposes, 1.12.2000 for W. and for specified other purposes, 1.1.2001) for s. 28A(b)(i)(ii) by 1999 c. 8, ss. 65(1), **Sch. 4 para. 14(4)(e)**; S.I. 1999/2793, art. 2(1)(a)(3)(c)(i), **Sch. 1**; S.I. 2000/2991, art. 2(1)(2), Schs. 1, 2

Marginal Citations

- M1** 1958 c. 33(43:1).
- M2** 1980 c. 7.
- M3** 1983 c. 41(113:3).
- M4** 1985 c. 68(61).
- M5** 1980 c. 65(81:1, 2) (103:1, 2) (123:1, 2, 3, 4).

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Changes and effects yet to be applied to :

- s. 28A(2)(b) words omitted by S.I. 2006/1407 Sch. 1 Pt. 1 para. 12
- s. 28A(2B) words substituted by 2003 c. 43 Sch. 4 para. 27

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by 2003 c. 43 Sch. 7 para. 3(7)
- Act repealed by 2006 c. 43 Sch. 4

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(4) inserted by 2003 c. 43 Sch. 11 para. 8
- s. 3(4)(a) words substituted by 2006 c. 28 Sch. 8 para. 7(4)(a)
- s. 3(4)(b) modified by S.I. 2004/865 art. 109(2)(a)
- s. 3(4)(b) words substituted by 2006 c. 28 Sch. 8 para. 7(4)(b)
- s. 8(9)(10) added by 2006 c. 28 s. 74(1)
- s. 11(4A)(4B) inserted by 2006 c. 28 s. 74(2)(a)
- s. 16B(4) inserted by 2003 c. 43 s. 182(1)
- s. 16BC(4) inserted by 2003 c. 43 s. 182(2)
- s. 16CA and heading inserted by 2003 c. 43 s. 170
- s. 16CB inserted by 2003 c. 43 s. 171(1)
- s. 16CC inserted by 2003 c. 43 s. 174
- s. 16CD16CE inserted by 2006 c. 28 s. 37
- s. 19A(2)(aa) inserted by 2003 c. 43 Sch. 9 para. 9
- s. 20A inserted by 2003 c. 4 s. 1(1)
- s. 21(4) inserted by S.I. 2006/1407 Sch. 1 Pt. 1 para. 9
- s. 22(1A)(e) inserted by 2003 c. 43 Sch. 4 para. 25
- s. 28D(1)(b)-(bc) substituted for s. 28D(1)(b)(c) by 2003 c. 43 s. 177(2)
- s. 28D(1)(bc)(i) modified by S.I. 2004/865 art. 109(2)(a)
- s. 28D(1)(bc)(iii) words substituted by S.I. 2004/957 Sch. para. 3
- s. 28D(1A) inserted by 2003 c. 43 s. 177(3)
- s. 28E(3)(ca) inserted by 2003 c. 43 s. 177(7)
- s. 28E(3A)(3B) inserted by 2003 c. 43 s. 177(8)
- s. 28E(3C) inserted by 2003 c. 43 s. 177(9)
- s. 28E(3D) inserted by 2003 c. 43 s. 177(10)
- s. 28E(3E)(3F) inserted by 2003 c. 43 s. 177(11)
- s. 28K-28P and heading inserted by 2003 c. 43 s. 172(1)
- s. 28M(4) words substituted by S.I. 2006/1407 Sch. 1 Pt. 1 para. 16
- s. 28Q-28W and heading(s) inserted by 2003 c. 43 s. 175(1)
- s. 28W(5) applied by S.I. 2004/478 reg. 100(3)
- s. 28W(5) applied by S.I. 2004/478 Sch. 6 para. 100(3)
- s. 28X applied (with modifications) by S.I. 2006/552 Sch. 1 para. 4
- s. 28X inserted by 2003 c. 43 s. 179(1)
- s. 28X heading words substituted by 2006 c. 28 s. 39(5)
- s. 28X(1A) inserted by S.I. 2006/1407 Sch. 1 Pt. 1 para. 17(a)
- s. 28X(2A) inserted by 2006 c. 28 s. 39(2)
- s. 28X(3)(b) words substituted by 2006 c. 28 s. 39(3)
- s. 28X(3)(c) added by S.I. 2006/1407 Sch. 1 Pt. 1 para. 17(b)
- s. 28X(6A) inserted by 2006 c. 28 s. 39(4)
- s. 28Y inserted by 2003 c. 43 s. 180
- s. 28Y(1) applied (with modifications) by S.I. 2006/552 Sch. 1 para. 5

- s. 28Y(1)(a) substituted by [2006 c. 28 s. 40\(2\)](#)
- s. 28Y(1)(b) words substituted by [2006 c. 28 s. 40\(3\)](#)
- s. 28Y(1)(c) added by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 18](#)
- s. 28WA-28WF and cross-heading inserted by [2006 c. 28 s. 38](#)
- s. 29-34A repealed by [2003 c. 43 s. 175\(2\)Sch. 14 Pt. 4](#)
- s. 34A inserted by [1997 c. 46 s. 25\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 25(1) repealed (1.4.2004) without ever being in force by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1) (4), Sch. 14 Pt. 4 Note; S.I. 2004/288, art. 6(2)(p) (with art. 8) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, art. 5(2)(p) (with arts. 6, 7) (as amended by S.I. 2004/1019 and S.I. 2006/345))
- s. 35(3)-(3B) substituted for s. 35(3) by [S.I. 2005/2011 Sch. 6 para. 1\(2\)\(a\)](#) (This amendment comes into force on a day to be specified in the London, Edinburgh and Belfast Gazettes (see, for example, the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008))
- s. 42(2A) inserted by [2001 c. 15 s. 40\(3\)](#)
- s. 42(2B)(2C) inserted by [2006 c. 28 s. 35](#)
- s. 42A42B inserted by [2006 c. 28 s. 34\(1\)](#)
- s. 43(4)(5) added by [1997 c. 19 Sch. para. 6](#) (This amendment not applied to legislation.gov.uk. 1997 c. 19 repealed (30.3.2007) by S.I. 2007/289, art. 1(2)(3), Sch. 1 para. 6; commencing date as notified in The Gazette, published 23.3.2007)
- s. 43A inserted by [1984 c. 48 s. 7\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 7(1) repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) without ever being in force by National Health Service (Pre - consolidation Amendments) Order 2006 (S.I. 2006/1407), art. 1(1), Sch. 2 (with art. 4))
- s. 43A43B substituted by [1999 c. 8 s. 10\(1\)\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 10 repealed (1.3.2007) without ever being in force by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 6, 8(2), Sch. 4 (with Sch. 2 Pt. 1))
- s. 43A43B substituted by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 19](#)
- s. 43A(3) repealed by [1997 c. 46 Sch. 2 para. 77Sch. 3 Pt. 2](#) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 77 repealed (E.W.) (1.3.2007 immediately before the National Health Service Act 2006 comes into force) without ever being in force by The National Health Service (Pre-consolidation Amendments) Order 2006 (S.I. 2006/1407), art. 1(1), Sch. 2 (with art. 4))
- s. 43B added by [1984 c. 48 s. 7\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 7(3) repealed to the extent that it inserts section 43B of the National Health Service Act 1977 (1.3.2007 immediately before the National Health Service Act 2006 comes into force) without that amendment ever being in force by National Health Service (Pre - consolidation Amendments) Order 2006 (S.I. 2006/1407), art. 1(1), Sch. 2 (with art. 4))
- s. 44(3A) inserted by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 20\(c\)](#)
- s. 45A45B inserted by [2003 c. 43 Sch. 11 para. 23](#)
- s. 45A(3) modified by [S.I. 2004/865 art. 109\(2\)\(a\)](#)
- s. 45A(3)(a) word repealed by [2006 c. 28 Sch. 8 para. 17\(2\)Sch. 9](#)
- s. 45A(3)(aa) inserted by [2006 c. 28 Sch. 8 para. 17\(2\)](#)
- s. 45A(4) modified by [S.I. 2004/865 art. 109\(2\)\(a\)](#)
- s. 45A(4)(a) substituted by [2006 c. 28 Sch. 8 para. 17\(3\)](#)
- s. 45A(11) modified by [S.I. 2004/865 art. 109\(2\)\(a\)](#)
- s. 45C inserted by [2006 c. 28 s. 41](#)
- s. 46-46C substituted for s. 46 by [1999 c. 8 s. 40\(1\)](#) (This amendment not applied to legislation.gov.uk. S. 40 repealed by 2001 c. 15, ss. 67, 70(2), Sch. 6 Pt. 1 (with ss. 64(a), 65(4)), the repeal coming into force immediately before the coming into force of the National Health Service Act 2006 (c. 41) (as to which see s. 227 of that 2006 Act) by virtue of The National Health Service (Pre-consolidation Amendments) Order 2006 (S.I. 2006/1407), arts. 1(1), 2, Sch. 1 Pt. 2 para. 8(c))
- s. 54(1)(c) and word(s) inserted by [2003 c. 43 Sch. 11 para. 26\(2\)\(c\)](#)

- s. 54(1)(c) modified by [S.I. 2004/865 art. 109\(2\)\(a\)](#)
- s. 72(5)(d) and word(s) inserted by [2003 c. 43 Sch. 11 para. 27\(2\)](#)
- s. 72(5)(d) modified by [S.I. 2004/865 art. 109\(2\)\(a\)](#)
- s. 72(5)(d) words substituted by [2006 c. 28 Sch. 8 para. 21\(b\)\(i\)](#)
- s. 72(5)(d) words substituted by [2006 c. 28 Sch. 8 para. 21\(b\)\(ii\)](#)
- s. 77(4) inserted by [2003 c. 43 Sch. 11 para. 28](#)
- s. 78A inserted by [1997 c. 46 s. 26\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 26(1) repealed (1.3.2007) without ever being in force by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1 Sch. 3 Pt. 1))
- s. 79(5)(b) modified by [2003 c. 43 s. 183\(4\)](#)
- s. 96(4) added by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 27](#)
- s. 96A(12) inserted by [2003 c. 43 Sch. 4 para. 37](#)
- s. 98(1A)-(1C) inserted by [S.I. 2003/1324 Sch. 2 para. 1\(2\)](#)
- s. 98(1A) substituted by [S.I. 2004/1714 Sch. 2 para. 1\(2\)](#)
- s. 98(1A)(e) inserted by [S.I. 2006/960 Sch. 2 para. 1\(2\)](#)
- s. 98(1C) words inserted by [S.I. 2004/1714 Sch. 2 para. 1\(4\)](#)
- s. 98(1C) words substituted by [S.I. 2006/960 Sch. 2 para. 1\(4\)](#)
- s. 98(1D) inserted by [2004 c. 23 Sch. 2 para. 2](#)
- s. 98(1BA)(1BB) inserted by [S.I. 2004/1714 Sch. 2 para. 1\(3\)](#)
- s. 98(1BC) inserted by [S.I. 2006/960 Sch. 2 para. 1\(3\)](#)
- s. 98(4A) inserted by [S.I. 2003/1324 Sch. 2 para. 1\(4\)](#)
- s. 98(7)-(10) inserted by [S.I. 2005/1074 art. 2\(2\)](#)
- s. 103(4)(5) inserted by [2001 c. 15 Sch. 5 para. 5\(12\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 5 para. 5(12)(c) repealed (1.3.2007) without ever being in force by [2006 c. 43](#), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1))
- s. 124A(3)(aa) inserted by [2002 c. 38 Sch. 3 para. 20](#)
- s. 126(1A) inserted by [2003 c. 43 s. 183\(3\)\(b\)](#)
- s. 126(4A) inserted by [2001 c. 15 Sch. 5 para. 5\(13\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 5 para. 5(13)(c) repealed (1.3.2007) without ever being in force by [2006 c. 43](#), s. 8(2), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1))
- s. 126(4A) inserted by [2003 c. 4 s. 1\(2\)](#)
- Sch. 5 para. 12B inserted by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 39\(c\)](#)
- Sch. 5 para. 10(2A)-(2C) substituted for Sch. 5 para. 10(2A) by [S.I. 2005/2011 Sch. 6 para. 1\(4\)](#) (This amendment comes into force on a day to be specified in the London, Edinburgh and Belfast Gazettes (see, for example, the London Gazette, issue nos. 57734, 57975, 58050 and 58769, dated respectively 19.8.2005, 5.6.2006, 21.7.2006 and 18.7.2008))
- Sch. 5A para. 20(1A) inserted by [2006 c. 28 s. 74\(3\)](#)
- Sch. 5B para. 19(1A) inserted by [2006 c. 28 s. 74\(4\)](#)
- Sch. 7A inserted by [2003 c. 4 s. 1\(3\)](#)Sch. 1
- Sch. 7A para. 3(1)(fa) inserted by [2003 c. 43 Sch. 11 para. 40\(2\)\(a\)](#)
- Sch. 7A para. 3(1)(g) words repealed by [2003 c. 43 Sch. 11 para. 40\(2\)\(b\)](#)Sch. 14 Pt. 4
- Sch. 7A para. 3(2) words substituted by [2003 c. 43 Sch. 11 para. 40\(3\)](#)
- Sch. 9A para. 10(a)(aa) substituted for s. Sch. 9A para. 10(a) by [2003 c. 43 Sch. 11 para. 42\(4\)\(b\)](#)
- Sch. 9A para. 6(d)(i)(ii) substituted for words in para. 6(d) by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 40\(b\)](#)
- Sch. 11 para. 5A inserted by [S.I. 2004/3363 art. 7](#)
- Sch. 12 para. 2A(6) added by [S.I. 2006/1407 Sch. 1 Pt. 1 para. 42\(g\)](#)
- Sch. 12 para. 2B amendment to earlier affecting provision [2006 c. 28](#), s. 41(3) by [S.I. 2006/1407 Sch. 1 Pt. 2 para. 15](#) (The earlier affecting provision cited is incorrect. The correct provision should be s. 42(3).)
- Sch. 12 para. 2B inserted by [2006 c. 28 s. 42\(3\)](#)
- Sch. 12 para. 2A(1)(b)(ba) substituted for Sch. 12 para. 2A(1)(b) by [2006 c. 28 s. 42\(2\)\(a\)](#)
- Sch. 12B inserted by [2006 c. 28 s. 56\(2\)](#)Sch. 3

- Sch. 12ZA inserted by 2003 c. 43 s. 183(2)

Commencement Orders yet to be applied to the National Health Service Act 1977

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2004/103 art. 2-4 commences (2001 c. 15)
- S.I. 2004/287 art. 23 commences (1997 c. 46)
- S.I. 2004/288 art. 2-6 commences (2003 c. 43)
- S.I. 2004/289 art. 2 commences (1998 c. 8)
- S.I. 2004/480 art. 2-5 commences (2003 c. 43)
- S.I. 2004/759 art. 2-13 commences (2003 c. 43)
- S.I. 2004/874 art. 2 commences (2003 c. 42)
- S.I. 2004/1009 art. 2 commences (2003 c. 43)
- S.I. 2004/1019 art. 2 commences (2003 c. 43)
- S.I. 2004/1859 art. 2-6 commences (1999 c. 8)
- S.I. 2004/2626 art. 2 commences (2003 c. 43)
- S.I. 2005/457 art. 2 commences (2003 c. 43)
- S.I. 2005/558 art. 2Sch. 1 commences (2004 c. 23)
- S.I. 2005/1432 art. 2 commences (2005 c. 12)
- S.I. 2005/2213 art. 23 commences (2002 c. 38)
- S.I. 2005/2800 art. 3-5 commences (2005 c. 10)
- S.I. 2005/2897 art. 2 commences (2002 c. 38)
- S.I. 2005/2925 art. 24-11 commences (2003 c. 43)
- S.I. 2005/2926 art. 23 commences (1997 c. 46)
- S.I. 2006/345 art. 2-7 commences (2003 c. 43)
- S.I. 2006/481 art. 23 commences (2001 c. 15)
- S.I. 2006/1014 art. 2Sch. 12 commences (2005 c. 4)
- S.I. 2006/1407 Sch. 1 Pt. 2 para. 3681213 commences (1997 c. 46)
- S.I. 2006/2603 art. 2-5 commences (2006 c. 28)
- S.I. 2006/3125 art. 2-4 commences (2006 c. 28)
- S.I. 2007/204 art. 2-4 commences (2006 c. 28)
- S.I. 2008/1972 art. 2 commences (2006 c. 28)