



Health Services Act 1980

1980 CHAPTER 53

PART I

THE NATIONAL HEALTH SERVICE

Local administration of the health service in England and Wales

1 Power to make changes in the local administration of the health service in England and Wales

- (1) For the purposes of the administration of the health service in England and Wales after the passing of this Act—
 - (a) regions in England need not consist wholly of areas having Area Health Authorities or Area Health Authorities (Teaching); and
 - (b) Wales need not consist wholly of areas having such authorities,and the Secretary of State may, by order under section 8(1) of the National Health Service Act 1977 (in this Act referred to as " the Act of 1977 "), establish authorities for districts in English regions or in Wales in accordance with that section and may, by order under subsection (2) of that section, vary a district whether or not the variation entails the determination of a new or the abolition of an existing district.
- (2) The power to determine districts under that section may be exercised so that a district corresponds with an existing area and the power under that section to establish authorities for districts may be exercised by constituting the existing authority for an area the authority for a district (and re-naming it accordingly) without otherwise affecting its corporate status.
- (3) The authority for a district shall, according as is provided in the order establishing the authority, be called either—
 - (a) a District Health Authority, or
 - (b) a District Health Authority (Teaching), or
 - (c) by a special name indicating its connection with the district or any place in the district, with or without the word " Teaching ".

Status: This is the original version (as it was originally enacted).

- (4) The authority for a district may have, or cease to have, the word " Teaching " incorporated in its name in the same circumstances as, under section 9 of the Act of 1977, the authority for an area may have, or cease to have, the word " Teaching " incorporated in its name and that section shall apply in relation to the authority for a district as it applies in relation to the authority for an area.
- (5) In this Act and the Act of 1977, except where the context requires otherwise, " District Health Authority" and " Area Health Authority " mean respectively the authority for a district and the authority for an area whether or not the name of the authority incorporates the word "Teaching" or, in the case of the authority for a district, the word "District".
- (6) Subject to section 2 below, a District Health Authority shall have in relation to its district the same functions as an Area Health Authority has in relation to its area and may perform functions outside its district on behalf of the Secretary of State to the same extent as an Area Health Authority can do so.
- (7) In consequence of the foregoing provisions of this section the enactments specified in Part I of Schedule 1 to this Act shall have effect subject to the amendments provided for in that Part of that Schedule (which also includes certain minor corrections of the Act of 1977).
- (8) The Secretary of State may by order under this subsection make such repeals in or other modifications of the Act of 1977, this Act or any other enactment or instrument referring to Area Health Authorities as appear to him to be necessary having regard to the replacement of Area Health Authorities by District Health Authorities by virtue of this section.
- (9) The power to make an order under subsection (8) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (10) Expressions used in this section and the Act of 1977 have the same meaning in this section as they have in that Act.

2 Family Practitioner Committees for several areas or districts

- (1) If directed to do so by the Secretary of State an Area Health Authority or a District Health Authority shall, instead of establishing a Family Practitioner Committee for its area or district in pursuance of section 10 of the Act of 1977, join with such other Area Health Authorities or such other District Health Authorities as are specified in the direction in establishing a Family Practitioner Committee for their combined areas or their combined districts in accordance with Part II of Schedule 5 to the Act of 1977.
- (2) Where two or more District Health Authorities are established for districts which together correspond with the area of an existing Area Health Authority those Authorities shall, if directed to do so by the Secretary of State when he makes the order establishing them, instead of each establishing a Family Practitioner Committee for its district in pursuance of section 10 of the Act of 1977, join in adopting the Family Practitioner Committee established by the Area Health Authority, and that Committee shall, for that purpose, continue in existence notwithstanding the dissolution of the Area Health Authority which established it.

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

- (3) The power to give directions under subsection (1) or (2) above shall be exercisable by an instrument in writing and includes power to make such incidental or supplemental provision as the Secretary of State considers appropriate.
- (4) Where a Family Practitioner Committee is, under subsection (1) or (2) above, established by two or more Area Health Authorities or by two or more District Health Authorities or is adopted by two or more District Health Authorities then, subject to subsection (6) below—
 - (a) it is the duty of those authorities jointly, in accordance with regulations, to arrange for the provision under Part II of the Act of 1977 of general medical services, general dental services, general ophthalmic services and pharmaceutical services and jointly to perform any other functions relating to such Committees conferred or imposed on Area Health Authorities or District Health Authorities by that Act; and
 - (b) it is the duty of the Committee, in accordance with regulations, to administer on behalf of those authorities, the arrangements so made and to perform such other functions relating to those services as may be prescribed.
- (5) In consequence of the foregoing provisions of this section the enactments specified in Part II of Schedule 1 to this Act shall have effect subject to the amendments provided for in that Part of that Schedule and references in Part II of the Act of 1977 to the area or district or persons in the area or district of an authority shall be read, in the case of authorities acting jointly under this section, as references to the combined areas or the combined districts or persons in the combined areas or the combined districts of those authorities.
- (6) The Secretary of State may direct by which of the Area Health Authorities or District Health Authorities which have jointly established or adopted a Family Practitioner Committee under subsection (1) or (2) above, or in what manner, any joint function of theirs under the Act of 1977 relating to that Committee is to be performed.
- (7) Sections 126 and 127 of the Act of 1977 (exercise of, and Parliamentary control over, powers to make subordinate instruments) shall apply as if this section were contained in that Act.
- (8) Expressions used in this section and the Act of 1977 have the same meaning in this section as they have in that Act.