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SCHEDULES

SCHEDULE 9

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

MISCELLANEOUS AMENDMENTS

[^{F1} Public Health Act 1936 (c. 49)

Textual Amendments

- F1** Sch. 9 para. 1 repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, Sch. 3

- 1 So much of subsections (3) and (4) of section 143 of the Public Health Act 1936 (regulations for prevention and treatment of infectious disease etc.) as relates to the enforcement and execution of regulations under that section by officers and men employed in the coastguard shall cease to have effect.]

Public Health (Scotland) Act 1945 (c. 15)

- 2 (1) In subsections (3) and (4) of section 1 of the Public Health (Scotland) Act 1945 (regulations for prevention and treatment of infectious diseases etc.) the words “and officers and men employed in the coastguard” shall be omitted wherever they occur.
- (2) In the proviso to subsection (3) of that section, for the words “officer, or person” there shall be substituted the words “or officer”.
- (3) In section (4) of that section after the word “Board” there shall be inserted the word “or”.

National Assistance Act 1948 (c. 29)

- 3 The following section shall be inserted after section 30 of the National Assistance Act 1948—

“30A Research.

Without prejudice to any powers conferred on them by any other Act,—

- (a) the Secretary of State may promote research into any matter relating to the functions of local authorities under this Part of this Act, and, in particular, may participate with or assist other persons in conducting such research; and

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(b) a local authority may conduct or assist other persons in conducting research into any matter relating to the functions of local authorities under this Part of this Act.”

[^{F24} In section 41(2)(a) of the National Assistance Act 1948 (registration of charities for disabled persons) for the words “the Residential Homes Act 1980” there shall be substituted the words “Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Textual Amendments
F2 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

^{F3} Nurseries and Child-Minders Regulation Act 1948 (c. 53)

Textual Amendments
F3 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

[^{F45} In subsection (3) of section 3 of the Nurseries and Child-Minders Regulation Act 1948 (by virtue of which a local social services authority are required to issue a copy of a certificate under that section which has been lost or destroyed on payment of a fee not exceeding 25p) for the words from “fee” to “authority”, in the third place where it occurs, there shall be substituted the words “reasonable fee as they”.]

Textual Amendments
F4 Sch. 2 paras. 50, 60-62, Sch. 4 Pt. II paras. 45-48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)

[^{F5} Mental Health Act 1959 (c. 72)

Textual Amendments
F5 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

6 In section 128(1)(b) of the Mental Health Act 1959 (sexual intercourse with patients) for the words from “home” to the end of the subsection there shall be substituted the words “care home within the meaning of Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

^{F67}

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Textual Amendments

F6 Sch. 9 Pt. I para. 7 repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), **Sch. 3** (with **Sch. 2** paras. 6, 16)

Social Work (Scotland) Act 1968 (c. 49)

8 In section 10 of the Social Work (Scotland) Act 1968 (financial assistance to voluntary organisations), in subsection (5)—

- (a) the word “section” shall be substituted for the words “sections 64 and”; and
- (b) after the word “1968” there shall be inserted the words “and section 16B of the National Health Service (Scotland) Act 1978”.

[^{F7} Local Authority Social Services Act 1970 (c. 7)

Textual Amendments

F7 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 3**

9 At the end of Schedule 1 to the Local Authority Social Services Act 1970 (which specifies the enactments conferring functions assigned to the social services committee of a local authority), there shall be inserted the following entry—

“Registration of residential care homes.”.]

Tribunals and Inquiries Act 1971 (c. 62)

^{F8}10

Textual Amendments

F8 Sch. 9 Pt. I para. 10 repealed (1.10.1992) by Tribunals And Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), **Sch. 4 Pt. I**.

^{F9}11

Textual Amendments

F9 Sch. 9 Pt. I para. 11 repealed (1.10.1992) by Tribunals And Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), **Sch. 4 Pt. I**.

[^{F10}12 The following paragraph shall be substituted for paragraph 4 of Schedule 1 to that Act—

“ Registration of voluntary homes under Child Care Act 1980 and children’s homes under Children’s Homes Act 1982.

4 Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”.]

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Textual Amendments

F10 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

13 The following paragraph shall be inserted after paragraph 21 of that Schedule—

Nursing Homes and Mental Nursing Homes Registration.

“21A Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”

14 The following paragraph shall be inserted after paragraph 28 of that Schedule—

Residential Care Homes Registration

“28A Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”

^{F11}15

Textual Amendments

F11 Sch. 9 Pt. I para. 15 repealed (1.10.1992) by [Tribunals And Inquiries Act 1992 \(c. 53\)](#), ss. 18(2), 19(2), [Sch. 4 Pt.I](#)

^{F12} Local Government Act 1972 (c. 70)

Textual Amendments

F12 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

^{F13}16

Textual Amendments

F13 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

Guardianship Act 1973 (c. 29)

^{F14}17

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Textual Amendments

F14 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), [s. 108\(7\)](#), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

House of Commons Disqualification Act 1975 (c. 24)

18 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices) there shall be inserted in the appropriate place in alphabetical order—

“A member of a panel appointed under section 7 of the Tribunals and Inquiries Act 1971 of persons to act as Chairmen of Social Security Appeal Tribunals and Medical Appeal Tribunals.

The President of Social Security Appeal Tribunals and Medical Appeal Tribunals.

A regional or other fulltime Chairman of Social Security Appeal Tribunals and Medical Appeal Tribunals.”.

Adoption Act 1976 (c. 36)

19 In section 32(3) of the Adoption Act 1976 (meaning of “protected child”) the following paragraph shall be substituted for paragraph (b)—

“(b) he is—

(i) suffering from mental disorder within the meaning of the Mental Health Act 1983; and

(ii) resident in a residential care home, within the meaning of Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983;”.

20 **F15**

Textual Amendments

F15 Sch. 8 Pts. III, IV, Pt. V para. 18, Pt. VII para. 31(3) and Sch. 9 para. 20 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), [s. 86\(2\)](#), [Sch. 11](#)

National Health Service Act 1977 (c. 49)

21 So much of subsection (2) of section 100 of the National Health Service Act 1977 as requires that payments made under that section shall be in accordance with regulations made by the Secretary of State and approved by the Treasury shall cease to have effect.

22 In Section 128(1) of that Act (interpretation and construction) the following definition shall be inserted after the definition of “dental practitioner”—

“ “disabled persons” means persons who are blind, deaf or dumb or who suffer from mental disorder of any description and other persons who are

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substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed.”.

23 At the end of Schedule 8 to that Act (local social services authorities) there shall be added—

“ Research

4 Without prejudice to any powers conferred on them by any other Act, a local social services authority may conduct or assist other persons in conducting research into matters relating to the functions of local social services authorities under this Schedule.”.

National Health Service (Scotland) Act 1978 (c. 29)

24 In section 105(7) of the National Health Service (Scotland) Act 1978 (orders, regulations and directions) for the words “or orders” there shall be substituted the words “, orders or directions”.

Employment Protection (Consolidation) Act 1978 (c. 44)

^{F16}25

Textual Amendments
F16 Sch. 9 Pt. I para. 25 repealed (22.8.1996) by [1996 c. 18, ss. 242, 243, Sch. 3 Pt. I](#) (with [ss. 191, 195, 202](#))

[^{F17} Foster Children Act 1980 (c. 6)

Textual Amendments
F17 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

26 In subsection (5) of section 2 of the Foster Children Act 1980 (exceptions to meaning of foster child for purposes of Act) for the words from “home” to end of the section there shall be substituted the words “care home within the meaning of Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Reserve Forces Act 1980 (c. 9)

27 The following paragraph shall be substituted for paragraph 2 of Schedule 2 to the Reserve Forces Act 1980 (army and air force pensioners and other former soldiers are not liable to be recalled for service)—

“2 A person who is receiving treatment for mental disorder as an inpatient in any establishment in the United Kingdom and is under the supervision of a registered medical practitioner.”.

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Overseas Development and Cooperation Act 1980 (c. 63)

^{F18}28

Textual Amendments

F18 Sch. 9 Pt. I para. 28 repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), **Sch. 3** (with Sch. 2 paras. 6, 16)

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