



Health Authorities Act 1995

CHAPTER 17

HEALTH AUTHORITIES ACT 1995

- 1 Abolition of RHAs, DHAs and FHSAs and duty to establish HAs.
- 2 Related amendments.
- 3 Preparations for reorganisation of authorities.
- 4 Transitional provisions and savings.
- 5 Repeals and revocations.
- 6 Subordinate instruments.
- 7 Financial provisions.
- 8 Commencement of provisions conferring functions.
- 9 Extent.
- 10 Short title.

SCHEDULES

SCHEDULE 1 — Amendments

Part I — AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 1977

- 1 The National Health Service Act 1977 shall be amended as...
- 2 In section 11 (special health authorities)— (a) in subsection (1),...
- 3 Section 12 (supplementary provisions about health authorities) shall be renumbered...
- 4 In section 13 (Secretary of State's directions)—
- 5 Omit section 14 (Regional Health Authority's directions).
- 6 In section 15 (duty of Family Health Services Authority)—
- 7 For section 16 substitute— Exercise of functions. (1) Regulations may provide for functions exercisable by a Health...
- 8 For section 17 substitute— Directions as to exercise of functions....
- 9 In section 18 (general provisions about directions)—
- 10 In section 19 (local advisory committees)— (a) in subsection (1),...

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- 11 In section 20 (Community Health Councils)— (a) in subsection (1),...
- 12 In section 22 (co-operation between health authorities and local authorities)—...
- 13 In section 23 (voluntary organisations and other bodies), in subsection...
- 14 In section 26 (supply of goods and services by Secretary...
- 15 In section 27 (conditions of supply under section 26)—
- 16 In section 28 (supply of goods and services by local...
- 17 In section 28A (power to make payments towards expenditure on...
- 18 In section 29 (arrangements and regulations for general medical services)—...
- 19 In section 30 (applications to provide general medical services)—
- 20 In section 31 (requirement of suitable experience), in subsection (1)(b) —...
- 21 In section 32 (regulations as to section 31), in subsection...
- 22 In section 33 (distribution of general medical services)—
- 23 In section 34 (regulations for Medical Practices Committee)—
- 24 In section 35 (arrangements for general dental services), in subsection...
- 25 In section 36 (regulations as to section 35)—
- 26 In section 37 (Dental Practice Board), in subsection (1)(b), for...
- 27 In section 38 (arrangements for general ophthalmic services), in subsection...
- 28 In section 39 (regulations as to section 38), in paragraph...
- 29 In section 41 (arrangements for pharmaceutical services)—
- 30 In section 42 (regulations as to pharmaceutical services)—
- 31 In section 43 (persons authorised to provide pharmaceutical services), in...
- 32 In section 44 (recognition of local representative committees)—
- 33 In section 45 (functions of local representative committees)—
- 34 In section 46 (disqualification of practitioners)— (a) in subsections (1)...
- 35 Section 51 (university clinical teaching and research) shall be renumbered...
- 36
- 37 In section 56 (inadequate services)— (a) for “the locality of...
- 38 In section 65 (accommodation and services for private patients)—
- 39 In section 83 (sums payable to persons providing services), for—...
- 40 In section 83A (remission and repayment of charges and payment...
- 41 In section 85 (default powers), in subsection (1), for paragraphs...
- 42 In section 90 (gifts on trust), for “health authority” substitute...
- 43 In section 91 (private trusts for hospitals), in subsection (3)(b),...
- 44 In section 92 (further transfers of trust property)—
- 45 In section 96 (trusts: supplementary provisions), in subsection (1A), for...
- 46 In section 96A (power to raise money by appeals, collections...
- 47 For section 97 substitute— Means of meeting expenditure of Health...
- 48 For section 97A substitute— Financial duties of Health Authorities and...
- 49 Omit section 97B (financial duties of Family Health Services Authorities...
- 50 In section 98 (accounts and audit)— (a) in subsection (1),...
- 51 In section 99 (regulation of financial arrangements), in subsection (1),...
- 52 In section 103 (special arrangement as to payment of remuneration),...
- 53 In section 104 (superannuation of officers of certain hospitals), in...

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- 54 In section 105 (payments for certain medical examinations), in subsection...
- 55 In section 124 (special notices of births and deaths)—
- 56 In section 125 (protection of members and officers of authorities),...
- 57 In section 126 (regulations and directions: general provisions), for the...
- 58 In section 128 (interpretation), in subsection (1)—
- 59 In Schedule 5 (authorities), insert as Part I (and in...
- 60 In Part III of that Schedule (supplementary provisions about authorities) —...
- 61 In Schedule 6 (local advisory committees)— (a) in paragraph 1(1),...
- 62 In Schedule 7 (Community Health Councils)— (a) in paragraph 2—...
- 63
- 64 In Schedule 14 (transitional provisions and savings), in paragraph 13 —...

Part II — AMENDMENTS OF THE NATIONAL HEALTH SERVICE AND
COMMUNITY CARE ACT 1990

- 65 The National Health Service and Community Care Act 1990 shall...
- 66 In section 1 (regional and district health authorities), in subsection...
- 67 In section 3 (primary and other functions of health authorities)...
- 68 In section 4 (NHS contracts), in subsection (2)—
- 69 In section 5 (NHS trusts)— (a) in subsection (1), for...
- 70 In section 6 (transfer of staff to NHS trusts)—
- 71 In section 7 (supplementary provisions as to transfer of staff),...
- 72 In section 8 (transfer of property, rights and liabilities to...
- 73 In section 14 (recognition of fund-holding practices of doctors)—
- 74 In section 15 (payments to recognised fund-holding practices)—
- 75 In section 16 (renunciation and removal of recognition as a...
- 76 In section 17 (transfer of functions relating to recognised fund-holding...
- 77 In section 18 (indicative amounts)— (a) in subsection (1), for—...
- 78 In section 20 (extension of functions of Audit Commission to...
- 79 In section 21 (schemes for meeting losses and liabilities etc....
- 80 In section 46 (local authority plans for community care services),...
- 81 In section 47 (assessment of needs for community care services),...
- 82 In section 49 (regulations for the transfer of staff from...
- 83 In section 60 (removal of Crown immunities), in subsection (7)—...
- 84 In section 62 (Clinical Standards Advisory Group), in subsection (7) —...

- 85 In Schedule 2 (NHS trusts)— (a) in paragraph 3(1)(f), for...

Part III — AMENDMENTS OF OTHER ENACTMENTS

The Polish Resettlement Act 1947

- 86 In section 4 of the Polish Resettlement Act 1947 (provision...

The National Assistance Act 1948

- 87 (1) The National Assistance Act 1948 shall be amended as...

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

- 88 In the second Schedule to the Reserve and Auxiliary Forces...

The Landlord and Tenant Act 1954

- 89 In section 57 of the Landlord and Tenant Act 1954...

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The Public Records Act 1958

90 In the first Schedule to the Public Records Act 1958...

The Public Bodies (Admission to Meetings) Act 1960

91 In the Schedule to the Public Bodies (Admission to Meetings)...

The Human Tissue Act 1961

92 In section 1 of the Human Tissue Act 1961 (removal...

The Parliamentary Commissioner Act 1967

93 In Schedule 3 to the Parliamentary Commissioner Act 1967 (matters...

The Leasehold Reform Act 1967

94 In section 28 of the Leasehold Reform Act 1967 (retention...

The Health Services and Public Health Act 1968

95 (1) The Health Services and Public Health Act 1968 shall...

The Post Office Act 1969

96 In section 86 of the Post Office Act 1969 (interpretation...

The Local Government Act 1972

97 (1) The Local Government Act 1972 shall be amended as...

The National Health Service Reorganisation Act 1973

98 The National Health Service Reorganisation Act 1973 shall cease to...

The Health and Safety at Work etc. Act 1974

99 In section 60 of the Health and Safety at Work...

The House of Commons Disqualification Act 1975

100 In Schedule 1 to the House of Commons Disqualification Act...

The Adoption Act 1976

101 In section 2 of the Adoption Act 1976 (local authorities' ...

The National Health Service (Scotland) Act 1978

102 (1) The National Health Service (Scotland) Act 1978 shall be...

The Employment Protection (Consolidation) Act 1978

103

The Nurses, Midwives and Health Visitors Act 1979

104

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The Overseas Development and Co-operation Act 1980

105 In Schedule 1 to the Overseas Development and Co-operation Act...

The Local Government Finance Act 1982

106

The Mental Health Act 1983

107 (1) The Mental Health Act 1983 shall be amended as...

The Public Health (Control of Disease) Act 1984

108 (1) The Public Health (Control of Disease) Act 1984 shall...

The Hospital Complaints Procedure Act 1985

109 (1) The Hospital Complaints Procedure Act 1985 shall be amended...

The Health Service Joint Consultative Committees (Access to Information) Act 1986

110 In section 1 of the Health Service Joint Consultative Committees...

The Disabled Persons (Services, Consultation and Representation) Act 1986

111 (1) The Disabled Persons (Services, Consultation and Representation) Act 1986...

The Education (No.2) Act 1986

112

The AIDS (Control) Act 1987

113 (1) The AIDS (Control) Act 1987 shall be amended as...

The Income and Corporation Taxes Act 1988

114 In section 519A of the Income and Corporation Taxes Act...

The Dartford-Thurrock Crossing Act 1988

115 In section 19 of the Dartford-Thurrock Crossing Act 1988 (exemption...

The Community Health Councils (Access to Information) Act 1988

116 In section 1 of the Community Health Councils (Access to...

The Road Traffic Act 1988

117 In section 159 of the Road Traffic Act 1988 (payments...

The Children Act 1989

118 (1) The Children Act 1989 shall be amended as follows....

The Access to Health Records Act 1990

119 (1) The Access to Health Records Act 1990 shall be...

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The Water Industry Act 1991

120 (1) The Water Industry Act 1991 shall be amended as...

The Health and Personal Social Services (Northern Ireland) Order 1991

121 (1) The Health and Personal Social Services (Northern Ireland) Order...

The Trade Union and Labour Relations (Consolidation) Act 1992

122 In section 279 of the Trade Union and Labour Relations...

The Tribunals and Inquiries Act 1992

123 In Schedule 1 to the Tribunals and Inquiries Act 1992...

The Education Act 1993

124

The Welsh Language Act 1993

125 In section 6 of the Welsh Language Act 1993 (meaning...

The Health Service Commissioners Act 1993

126 (1) The Health Service Commissioners Act 1993 shall be amended...

The Value Added Tax Act 1994

127 In Schedule 8 to the Value Added Tax Act 1994...

SCHEDULE 2 — Transitional provisions and savings

Property, rights and liabilities of RHAs, DHAs, FHSAs and SHAs

- 1 (1) On 1st April 1996— (a) all property held by...
 2 (1) The Secretary of State may, where it appears appropriate...
 3 (1) The Secretary of State may by order transfer on...
 4 (1) The Secretary of State may by order transfer on...
 5 (1) Where an order made under paragraph 2, 3 or...
 6 Nothing in this Act prevents any rights or liabilities which...

Staff of RHAs, DHAs and FHSAs

- 7 (1) The Secretary of State may— (a) by order made...
 8 (1) This paragraph applies where, at any time during the...
 9 (1) The abolition on 1st April 1996 of the authority...
 10 (1) A scheme made under paragraph 7 or 8 may...
 11 Where as a result of the operation of paragraph 9...

Early retirements on reorganisation under 1973 Act

12 The repeal by this Act of the National Health Service...

Accounts and winding up of affairs of RHAs, DHAs and FHSAs

13 (1) The Secretary of State— (a) shall keep, or prepare,...

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Trustees etc.

- 14 (1) The Secretary of State may by order provide that...

Mental Health Review Tribunals

- 15 (1) On 1st April 1996 the Secretary of State shall...

Complaints and appeals

- 16 (1) Nothing in this Act— (a) prevents a complaint or...

Arrangements about certain hospital premises etc.

- 17 The Secretary of State may by order make provision for...

Continuity

- 18 (1) The abolition by this Act of Regional Health Authorities,...

Instruments and other documents

- 19 (1) The Secretary of State may by order provide that...

General

- 20 (1) The Secretary of State may by order make any...
21 Nothing in any provision made by or by virtue of...

Interpretation

- 22 (1) In this Schedule “specified” means specified in an order...

SCHEDULE 3 — Repeals and revocations

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