

*Changes to legislation: There are currently no known outstanding effects for the Health Authorities Act 1995, Part II. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1 **U.K.**

#### AMENDMENTS

##### Extent Information

- E1** [Sch. 1](#) does not extend to the Colonies; the amending/repealing provisions within [Sch. 1](#) are co-extensive with the enactments they affect see [s.9\(2\)](#).

### PART II **E+W+S**

#### AMENDMENTS OF THE NATIONAL HEALTH SERVICE AND COMMUNITY CARE ACT 1990

- 65 The <sup>M1</sup>National Health Service and Community Care Act 1990 shall be amended as follows.

##### Marginal Citations

- M1** [1990 c. 19](#).

<sup>F1</sup>66 .....

##### Textual Amendments

- F1** [Sch. 1 para. 66](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), [s. 8\(2\)](#), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

<sup>F2</sup>67 .....

##### Textual Amendments

- F2** [Sch. 1 para. 67](#) repealed (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [The National Health Service \(Pre-consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), [art. 1\(1\)](#), [Sch. 2](#) (with [art. 4](#))

<sup>F3</sup>68 .....

##### Textual Amendments

- F3** [Sch. 1 paras. 68-72](#) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), [s. 8\(2\)](#), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

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F369 .....

**Textual Amendments**  
F3 Sch. 1 paras. 68-72 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F370 .....

**Textual Amendments**  
F3 Sch. 1 paras. 68-72 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F371 .....

**Textual Amendments**  
F3 Sch. 1 paras. 68-72 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F4F572 .....

**Textual Amendments**  
F4 Sch. 1 paras. 68-72 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))  
F5 Sch. 1 para. 72 repealed (1.3.2007) (E.W.) by [Health Act 1999](#) (c. 8), s. 67(1), [Sch. 5](#); S.I. 2006/1407, art. 1(1), [Sch. 1](#) para. 6 (with art. 4)

F673 .....

**Textual Amendments**  
F6 Sch. 1 para. 73 repealed (E.) (1.10.1999) and (W.) (1.4.2000) by [1999 c. 8](#), s. 65, [Sch. 5](#); S.I. 1999/2540, art. 2(1)(a), [Sch. 1](#); S.I. 2000/1041, art. 2(c)(d), [Sch.](#)

[F774 In section 15 (payments to recognised fund-holding practices)—

(a) for subsection (1) substitute—

“(1) In respect of each financial year, every Health Authority shall be liable to pay to the members of each recognised fund-holding practice in relation to which they are the relevant Health Authority a sum determined by the Secretary of State in such manner and by reference to such factors as the Secretary of State may direct (in this section referred to as an “allotted sum”).”

(b) omit subsection (2),

(c) in subsection (3), omit “or subsection (2)”,

(d) for subsection (4) substitute—

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- “(4) In any case where—
- (a) a Health Authority make a payment of, or of any part of, an allotted sum to the members of a recognised fund-holding practice, and
  - (b) some of the individuals on the list of patients of any of the members of the practice reside in the area of another Health Authority, or in the area of a Health Board,  
the Health Authority making the payment shall be entitled to recover from that other Health Authority, or from that Health Board, an amount equal to such portion of the payment as may be determined in accordance with directions given by the Secretary of State.”,
  - (e) omit subsection (5),
  - (f) in subsection (7)—
    - (i) in paragraph (a), for “Regional Health Authority”, and
    - (ii) in paragraph (c), for “District Health Authority”,substitute “ Health Authority ”,
  - (g) omit subsection (8), and
  - (h) in subsection (9), for—
    - (i) “Family Health Services Authority”, and
    - (ii) “Authority”, in the other place,substitute “ Health Authority ”.]

**Textual Amendments**

**F7** Sch. 1 para. 74 repealed (E.) (1.10.1999) and (W.) (1.4.2000) by 1999 c. 8, s. 65, **Sch. 5**; S.I. 1999/2540, art. 2(1)(a), **Sch. 1**; S.I. 2000/1041, art. 2(c)(d), **Sch.**

**F8**75 .....

**Textual Amendments**

**F8** Sch. 1 para. 75 repealed (E.) (1.10.1999) and (W.) (1.4.2000) by 1999 c. 8, s. 65, **Sch. 5**; S.I. 1999/2540, art. 2(1)(a), **Sch. 1**; S.I. 2000/1041, art. 2(c)(d), **Sch.**

**F9**76 .....

**Textual Amendments**

**F9** Sch. 1 para. 76 repealed (E.) (1.10.1999) and (W.) (1.4.2000) by 1999 c. 8, s. 65, **Sch. 5**; S.I. 1999/2540, art. 2(1)(a), **Sch. 1**; S.I. 2000/1041, art. 2(c)(d), **Sch.**

**77** In section 18 (indicative amounts)—

- (a) in subsection (1), for—
  - (i) “Family Health Services Authority” (in both places), and
  - (ii) “Authority”,substitute “ Health Authority ”, and

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- (b) in subsections (4), (5) and (7), for “Family Health Services Authority” substitute “ Health Authority ”.

F1078 .....

**Textual Amendments**

**F10** Sch. 1 para. 78 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

F1179 .....

**Textual Amendments**

**F11** Sch. 1 para. 79 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

80 In section 46 (local authority plans for community care services), in subsection (2)

- (a) in paragraph (a), for “District Health Authority the whole or any part of whose district” substitute “ Health Authority the whole or any part of whose area ”, and
- (b) omit paragraph (b).

81 In section 47 (assessment of needs for community care services), in subsection (3), for “District Health Authority” (in each place) substitute “ Health Authority ”.

82 In section 49 (regulations for the transfer of staff from the health service to local authorities), in subsection (4)(b), for “Regional, District or Special Health Authority” substitute “ Health Authority or Special Health Authority ”.

83 In section 60 (removal of Crown immunities), in subsection (7)—

- (a) for paragraph (a) substitute—
- “(a) a Health Authority established under section 8 of the <sup>M2</sup>National Health Service Act 1977;
- (aa) a Special Health Authority established under section 11 of that Act;”, and
- (b) omit paragraph (d).

**Marginal Citations**

**M2** 1977 c. 49.

84 In section 62 (Clinical Standards Advisory Group), in subsection (7)—

- (a) in the definition of “health service body”—
- (i) for paragraph (i) substitute—
- “(i) a Health Authority established under section 8 of the <sup>M3</sup>National Health Service Act 1977;
- (ia) a Special Health Authority established under section 11 of that Act;”,

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- (ii) at the end of paragraph (iv) insert “ and ”, and
  - (iii) omit paragraph (vi) and the word “and” immediately preceding it, and
- (b) in the definition of “services”, for paragraph (a) substitute—
- “(a) in England and Wales by virtue of—
    - (i) directions under section 13 of the <sup>M4</sup>National Health Service Act 1977;
    - (ii) Part II of that Act; or
    - (iii) section 5 of this Act; or”.

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**Marginal Citations**

- M3** 1977 c. 49.
- M4** 1977 c. 49.

<sup>F12</sup>85 .....

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**Textual Amendments**

- F12** Sch. 1 para. 85 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#), [Sch. 3 Pt. 1](#))

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