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Health and Social Care (Community Health and Standards) Act 2003

CHAPTER 43

HEALTH AND SOCIAL CARE (COMMUNITY HEALTH AND STANDARDS) ACT 2003

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- 1 NHS foundation trusts
- 2 Independent Regulator of NHS Foundation Trusts
- 3 General duty of regulator

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- 5 Other applications
- 6 Authorisation of NHS foundation trusts
- 7 Effect of authorisation
- 8 Amendments of constitution
- 9 Variation of authorisation
- 10 Register of NHS foundation trusts

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- 11 Power of Secretary of State to give financial assistance
- 12 Prudential borrowing code
- 13 Public dividend capital

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- 24 Voluntary arrangements
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- 27 Mergers
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- 30 Public involvement and consultation
- 31 Patients' Forums
- 32 Commission for Patient and Public Involvement in Health

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- 33 Taxation
- 34 Other amendments relating to NHS foundation trusts
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- 36 Offence
- 37 Representative membership
- 38 Audit
- 39 General duty of NHS foundation trusts

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- 42 The Commission for Social Care Inspection
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- 60 Provision of material
- 61 Co-operation between CHAI and the regulator
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- 65 Co-operation between CHAI and the Audit Commission
- 66 Right of entry
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- 81 Failings

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- 82 Studies as to economy, efficiency etc
- 83 Joint working with Audit Commission
- 84 Additional functions

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- 85 Criteria
- 86 Fees
- 87 Reports and information
- 88 Right of entry
- 89 Right of entry: supplementary
- 90 Power to require information etc
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- 92 General function
- 93 Reviews of studies and research
- 94 Reviews and investigations
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- 96 Additional functions
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- 98 Right of entry
- 99 Right of entry: supplementary
- 100 Power to require information

Status: Point in time view as at 01/04/2006.

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102 Transfer of functions to CHAI and CSCI
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110 Boarding schools and colleges
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116 Further consideration of representations under the Children Act 1989
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120 Co-operation etc
121 Reviews and investigations
122 Joint annual reviews
123 Power to assist

Arrangements with public authorities

124 Arrangements with Ministers etc: CHAI
125 Arrangements with Ministers etc: CSCI

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- 126 Arrangements with the Isle of Man and Channel Islands: CHAI
- 127 Arrangements with the Isle of Man and Channel Islands: CSCI

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- 128 Reports: CHAI
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- 130 Duty to have regard to government policy: CHAI
- 131 Duty to have regard to government policy: CSCI
- 132 Failure in discharge of functions: CHAI
- 133 Failure in discharge of functions: CSCI

Inquiries

- 134 Inquiries: CHAI
- 135 Inquiries: CSCI

Information

- 136 Disclosure of information obtained by CHAI
- 137 Section 136: defence
- 138 Information obtained by CHAI: supplementary
- 139 Information obtained by CSCI: supplementary
- 140 Code of practice: CHAI
- 141 Code of practice: CSCI

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- 142 Annual reports of Assembly
- 143 Use by Assembly of information
- 144 Inquiries: Wales
- 145 Co-operation between Assembly and CHAI
- 145A Duties in connection with the Auditor General for Wales

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- 146 Offences by bodies corporate
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- 148 Interpretation of Part 2
- 149 References to the provision of health care

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- 150 Liability to pay NHS charges

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- 151 Applications for certificates of NHS charges
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- 153 Information contained in certificates

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Recovery of NHS charges

- 154 Payment of NHS charges
- 155 Recovery of NHS charges

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- 156 Review of certificates
- 157 Appeal against a certificate or a waiver decision
- 158 Appeal tribunals
- 159 Appeal to Social Security Commissioner

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- 160 Provision of information
- 161 Use of information held by the Secretary of State or the Scottish Ministers etc.

Payments to hospitals or ambulance trusts

- 162 Payment of NHS charges to hospitals or ambulance trusts

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- 163 Regulations governing lump sums, periodical payments etc
- 164 Liability of insurers
- 165 Power to apply Part 3 to treatment at non-health service hospitals
- 166 The Crown
- 167 Regulations
- 168 Interpretation of Part 3
- 169 Consequential and minor repeals

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- 170 Provision of primary dental services
- 171 Dental public health
- 172 General dental services contracts
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- 174 Provision of primary medical services
- 175 General medical services contracts
- 176 General medical services: transitional

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- 177 Arrangements under section 28C of the 1977 Act
- 178 Abolition of pilot schemes
- 179 Persons performing primary medical and dental services
- 180 Assistance and support

Status: Point in time view as at 01/04/2006.

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- 181 Abolition of Dental Practice Board
- 182 Special Health Authorities
- 183 Charges for dental services

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- 184 Minor and consequential amendments

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- 185 Replacement of the Welfare Food Schemes: Great Britain
- 186 Replacement of the Welfare Food Schemes: Northern Ireland

Appointments and employment

- 187 Appointments to certain health and social care bodies
- 188 Appointments to certain health and social care bodies: joint functions
- 189 Validity of clearance for employment in certain NHS posts

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- 190 Abolition of Public Health Laboratory Service Board

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- 191 Loans by Secretary of State to NHS trusts
- 192 Amendment of provision relating to reform of Welsh health authorities

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- 193 Financial provisions
- 194 Interpretation
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- 196 Repeals and revocations
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- 198 Isles of Scilly
- 199 Commencement
- 200 Transitional or transitory provision and savings
- 201 Supplementary and consequential provision
- 202 Extent
- 203 Short title

SCHEDULES

SCHEDULE 1 — Constitution of public benefit corporations

Requirement for a constitution

- 1 (1) A public benefit corporation is to have a constitution....

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- 2 The constitution is to name the corporation and, if the...

Eligibility for membership

- 3 (1) The persons who may become or continue as members...

Constituencies

- 4 (1) Members of a public benefit corporation are referred to...
5 The constitution is to require a minimum number of members...

Becoming a member

- 6 (1) An individual who is eligible to become a member...

Board of Governors

- 7 (1) A public benefit corporation is to have a board...
8 (1) The following may not become or continue as members...
9 (1) More than half of the members of the board...
10 (1) An elected member of the board of governors may...
11 The corporation may pay travelling and other expenses to members...
12 The constitution is to provide for the chairman of the...
13 (1) The constitution is to provide for meetings of the...
14 (1) The constitution is to make provision as to—

Directors

- 15 (1) A public benefit corporation is to have a board...
16 (1) The board is to consist of—
17 (1) It is for the board of governors at a...
18 (1) It is for the board of governors at a...

Initial directors of former NHS trusts

- 19 (1) This paragraph applies, where the application for authorisation is...

Register of members etc.

- 20 (1) A public benefit corporation is to have—
21 The constitution is to make provision for dealing with conflicts...
22 (1) A public benefit corporation is to make the following...

Auditor

- 23 (1) A public benefit corporation is to have an auditor....

Accounts

- 24 (1) A public benefit corporation is to keep accounts in...
25 (1) A public benefit corporation is to prepare in respect...

Annual reports and forward plans

- 26 (1) A public benefit corporation is to prepare annual reports...
27 (1) A public benefit corporation is to give information as...

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Meeting of board of governors to consider annual accounts and reports

28 The following documents are to be presented to the board...

Instruments etc.

29 (1) The constitution is to make provision for the authentication...

SCHEDULE 2 — Independent Regulator of NHS Foundation Trusts

Membership

1 (1) The regulator is to consist of a number of...

Tenure of office

2 (1) A person is to hold and vacate office as...

Remuneration and pensions

3 (1) The regulator is to pay to the chairman—

Staff

4 The regulator may, after consulting the Minister for the Civil...

Superannuation

5 (1) Sub-paragraph (2) applies where— (a) a person is an...

Procedure

6 (1) The regulator may regulate its own procedure and make...

Delegation of functions

7 Anything which the regulator is authorised or required to do...

General powers

8 (1) The regulator may do anything which appears to it...

Specific powers

9 (1) The regulator may with the consent of the Secretary...

Finance

10 The Secretary of State may make contributions towards the regulator's...

Reports and other information

11 (1) As soon as possible after the end of each...

12 (1) The regulator must keep accounts in such form as...

13 The regulator must respond in writing to any recommendation which
 —...

Seal and evidence

14 The application of the regulator's seal is to be authenticated...

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- 15 A document purporting to be duly executed under the regulator’s...

General

- 16 (1) The regulator is not to be regarded as the...

Amendments

- 17 In Schedule 2 to the Parliamentary Commissioner Act 1967 (c....
18 In Part 3 of Schedule 1 to the House of...
19 In Part 3 of Schedule 1 to the Northern Ireland...

SCHEDULE 3 — Transfer of staff

- 1 An order under section 25(3) may provide for the transfer...
2 The contract of employment of an employee transferred under such...
3 Where an employee is so transferred— (a) all the rights,...
4 But if the employee informs the trust or the proposed...
5 This Schedule does not prejudice any right of an employee...
6 In this Schedule, “date of transfer” means the date decided...

SCHEDULE 4 — Amendments relating to NHS foundation trusts

The Voluntary Hospitals (Paying Patients) Act 1936 (c. 17)

- 1 The Voluntary Hospitals (Paying Patients) Act 1936 is amended as...
2 In section 1 (definitions), in the definition of “voluntary hospital”,...

The National Assistance Act 1948 (c. 29)

- 3 The National Assistance Act 1948 is amended as follows.
4 In section 24 (authority liable for provision of accommodation), in...

The Public Records Act 1958 (c. 51)

- 5 The Public Records Act 1958 is amended as follows.
6 In Schedule 1 (definition of public records), in the Table...

The Human Tissue Act 1961 (c. 54)

- 7 The Human Tissue Act 1961 is amended as follows.
8 In section 1 (removal of parts of bodies for medical...

The Abortion Act 1967 (c. 87)

- 9 The Abortion Act 1967 is amended as follows.
10 In section 1 (medical termination of pregnancy), in subsection (3),...

The Leasehold Reform Act 1967 (c. 88)

- 11 The Leasehold Reform Act 1967 is amended as follows.
12 In section 28 (retention or assumption of land required for...

The Health Services and Public Health Act 1968 (c. 46)

- 13 The Health Services and Public Health Act 1968 is amended...
14 In section 63 (provisions of instruction for officers of hospital...

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The Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

- 15 The Employers' Liability (Compulsory Insurance) Act 1969 is amended as...
- 16 In section 3 (employers exempted from insurance), in subsection (2) (a),...

The Local Government Act 1972 (c. 70)

- 17 The Local Government Act 1972 is amended as follows.
- 18 In section 113 (placing of staff of local authorities at...

The House of Commons Disqualification Act 1975 (c. 24)

- 19 The House of Commons Disqualification Act 1975 is amended as...
- 20 In Part 3 of Schedule 1 (disqualifying offices), there is...

The Race Relations Act 1976 (c. 74)

- 21 The Race Relations Act 1976 is amended as follows.
- 22 In Schedule 1A (bodies and other persons subject to general...

The National Health Service Act 1977 (c. 49)

- 23 The 1977 Act is amended as follows.
- 24 In section 18A (provision of services etc. by PCTs), in...
- 25 In section 22 (co-operation between health authorities and local authorities),...
- 26 In section 28 (supply of goods and services by local...
- 27 In section 28A (power to make payments towards expenditure on...
- 28 In section 63 (hospital accommodation on part payment), in subsection...
- 29 In section 65 (accommodation and services for private patients), in...
- 30 In section 81 (charges for more expensive supplies), in paragraph...
- 31 In section 82 (charges for repairs and replacements in certain...
- 32 In section 83A (remission and repayment of charges and payment...
- 33 In section 84 (inquiries), in subsection (1), at the end...
- 34 In section 91 (private trusts for hospitals), in subsection (3),...
- 35 In section 92 (further transfers of trust property)—
- 36 In section 96 (trusts: supplementary provisions), any reference to sections...
- 37 In section 96A (powers of health bodies to raise money...
- 38 In section 103 (special arrangement as to payment of remuneration),...
- 39 In section 105 (payments for certain medical examinations), in subsection...
- 40 In section 122 (recovery of charges), in subsection (1), after...
- 41 In section 125 (protection of members and officers of authorities)—...
- 42 In section 128 (interpretation and construction), in subsection (1), in...
- 43 In Schedule 5A (Primary Care Trusts), in paragraph 20(1), after...
- 44 In Schedule 8A (local pharmaceutical services schemes), in paragraph 1(8),...
- 45 In Schedule 12A (expenditure of Health Authorities and Primary Care...

The Acquisition of Land Act 1981 (c. 67)

- 46 (1) An NHS foundation trust may be authorised to purchase...

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- 47 The Acquisition of Land Act 1981 is amended as follows....
- 48 In section 16 (statutory undertakers' land excluded from compulsory purchase),...
- 49 In section 17 (local authority and statutory undertakers' land), in...

The Mental Health Act 1983 (c. 20)

- 50 The Mental Health Act 1983 is amended as follows.
- 51 In section 12 (general provisions as to medical recommendation), in...
- 52 In section 19 (regulations as to transfer of patients), in...
- 53 In section 23 (discharge of patients)— (a) in subsection (3),...
- 54 In section 24 (visiting and examination by patients), in subsection...
- 55 In section 32 (regulations for purposes of Part 2), in...
- 56 In section 139 (protection for acts done in pursuance of...
- 57 In section 145 (interpretation), in subsection (1), after paragraph (bb)...

The National Audit Act 1983 (c. 44)

- 58 The National Audit Act 1983 is amended as follows.
- 59 In section 6 (public departments etc.), in subsection (3)(b), at...

The Public Health (Control of Disease) Act 1984 (c. 22)

- 60 The Public Health (Control of Disease) Act 1984 is amended...
- 61 In section 13 (regulations for control of certain diseases), in...
- 62 In section 37 (removal to hospital of person with notifiable...
- 63 In section 41 (removal to hospital of inmate of common...

The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

- 64 The Disabled Persons (Services, Consultation and Representation) Act 1986 is...
- 65 In section 2 (rights of authorised representatives of disabled persons),...
- 66 In section 7 (persons discharged from hospital), in subsection (9),...

The Company Directors Disqualification Act 1986 (c. 46)

- 67 The Company Directors Disqualification Act 1986 is amended as follows....
- 68 After section 22B there is inserted— Application of Act to...

The AIDS (Control) Act 1987 (c. 33)

- 69 The AIDS (Control) Act 1987 is amended as follows.
- 70 In section 1 (periodical reports on matters relating to AIDS...

The Copyright, Designs and Patents Act 1988 (c. 48)

- 71 The Copyright, Designs and Patents Act 1988 is amended as...
- 72 In section 48 (material communicated to the Crown in the...

The Road Traffic Act 1988 (c. 52)

- 73 The Road Traffic Act 1988 is amended as follows.
- 74 In section 144 (exceptions from requirement of third-party insurance), in...

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The Children Act 1989 (c. 41)

- 75 The Children Act 1989 is amended as follows.
- 76 In section 24 (persons qualifying for advice and assistance), in...
- 77 In section 24C (information), in subsection (2)(c), after “trust” there...
- 78 In section 27 (co-operation between authorities), in subsection (3)(d), for...
- 79 In section 47 (local authority’s duty to investigate), in subsection...
- 80 In section 80 (inspection of children’s homes etc. by persons...
- 81 In section 85 (children accommodated by health authorities and local...
- 82 In Schedule 2 (local authority support for children and families),...

The National Health Service and Community Care Act 1990 (c. 19)

- 83 The 1990 Act is amended as follows.
- 84 In section 21 (schemes for meeting losses and liabilities etc....
- 85 In Schedule 2 (NHS trusts)— (a) in the case of...

The Town and Country Planning Act 1990 (c. 8)

- 86 Sections 238 to 240 of the Town and Country Planning...

The Access to Health Records Act 1990 (c. 23)

- 87 The Access to Health Records Act 1990 is amended as...
- 88 In section 11 (interpretation), in the definition of “health service...

The Water Industry Act 1991 (c. 56)

- 89 The Water Industry Act 1991 is amended as follows.
- 90 In Schedule 4A (premises that are not to be disconnected...

The London Local Authorities Act 1991 (c. xiii)

- 91 The London Local Authorities Act 1991 is amended as follows....
- 92 In section 4 (interpretation of Part 2), in paragraph (d)...

The Health Service Commissioners Act 1993 (c. 46)

- 93 The Health Service Commissioners Act 1993 is amended as follows....
- 94 In section 2 (the bodies subject to investigation), in subsection...

The Vehicle Excise and Registration Act 1994 (c. 22)

- 95 The Vehicle Excise and Registration Act 1994 is amended as...
- 96 In Schedule 2 (exempt vehicles), in paragraph 7, after the...

The Value Added Tax Act 1994 (c. 23)

- 97 The Value Added Tax Act 1994 is amended as follows....
- 98 In Schedule 8 (zero-rating), in the Notes to Group 12,...

The Employment Rights Act 1996 (c. 18)

- 99 The Employment Rights Act 1996 is amended as follows.
- 100 In section 50 (right to time off for public duties),...
- 101 In section 218 (change of employer), in subsection (10), after...

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The Housing Grants, Construction and Regeneration Act 1996 (c. 53)

- 102 The Housing Grants, Construction and Regeneration Act 1996 is amended...
- 103 In section 3 (ineligible applicants), in subsection (2)(f), for “or...

The Education Act 1996 (c. 56)

- 104 The Education Act 1996 is amended as follows.
- 105 In section 332 (duty of Health Authority, a Primary Care...

The Data Protection Act 1998 (c. 29)

- 106 The Data Protection Act 1998 is amended as follows.
- 107 In section 69 (meaning of “health professional”), in subsection (3),...

The Health Act 1999 (c. 8)

- 108 The Health Act 1999 is amended as follows.
- 109 In section 31 (arrangements between NHS bodies and local authorities),...

The Care Standards Act 2000 (c. 14)

- 110 The Care Standards Act 2000 is amended as follows.
- 111 In section 42 (power to extend the application of Part...
- 112 In section 121 (general interpretation), in subsection (1), in the...

The Freedom of Information Act 2000 (c. 36)

- 113 The Freedom of Information Act 2000 is amended as follows....
- 114 In Part 3 of Schedule 1 (National Health Service), after...

The Health and Social Care Act 2001 (c. 15)

- 115 The Health and Social Care Act 2001 is amended as...
- 116 In section 7 (functions of overview and scrutiny committees)—
- 117 In section 28 (pilot schemes: local pharmaceutical services), in subsection...
- 118 In section 33 (NHS contracts), in subsection (1), after “body...

The Anti-terrorism, Crime and Security Act 2001 (c. 24)

- 119 The Anti-terrorism, Crime and Security Act 2001 is amended as...
- 120 In Schedule 4 (extension of existing disclosure powers), at the...

The International Development Act 2002 (c. 1)

- 121 The International Development Act 2002 is amended as follows.
- 122 In Schedule 1 (statutory bodies to which section 9 applies),...

The National Health Service Reform and Health Care Professions Act 2002 (c. 17)

- 123 The National Health Service Reform and Health Care Professions Act...
- 124 In section 23 (joint working with the prison service), in...

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The Adoption and Children Act 2002 (c. 38)

- 125 The Adoption and Children Act 2002 is amended as follows....
126 In section 8 (adoption support agencies), in subsection (2)(d), for...

The Nationality, Immigration and Asylum Act 2002 (c. 41)

- 127 The Nationality, Immigration and Asylum Act 2002 is amended as...
128 In section 133 (medical inspectors), in subsection (4)(a), after sub-paragraph...

The Community Care (Delayed Discharges etc.) Act 2003 (c. 5)

- 129 The Community Care (Delayed Discharges etc.) Act 2003 is amended...
130 In section 1 (meaning of “NHS body” and “qualifying hospital...

SCHEDULE 5 — Audit of accounts of NHS foundation trusts

General duty

- 1 In auditing the accounts of any NHS foundation trust an...

Right to documents and information

- 2 (1) An auditor of an NHS foundation trust has a...

Reports

- 3 In auditing the accounts of an NHS foundation trust, the...
4 (1) When an auditor of an NHS foundation trust has...
5 (1) Any report under paragraph 3 must be sent by...

Referral to regulator

- 6 If the auditor of an NHS foundation trust has reason...

Audit of accounts of directors or officers

- 7 (1) Where a director or officer of an NHS foundation...

Restriction on disclosure of information

- 8 (1) No information relating to an NHS foundation trust or...

SCHEDULE 6 — CHAI: supplementary

Status

- 1 (1) The CHAI is not to be regarded as the...

General powers and duties

- 2 (1) The CHAI may do anything which appears to it...

Chairman and other members

- 3 (1) The CHAI is to consist of—

Status: Point in time view as at 01/04/2006.

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003 is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Remuneration of chairman and other members

4 (1) The CHAI may pay to its chairman, or to...

Employees

5 (1) The CHAI must appoint a chief executive (to be...

Procedure

6 (1) The CHAI may— (a) appoint such committees and sub-committees...

Discharge of functions

7 (1) The CHAI may arrange for— (a) any of its...

Assistance

8 (1) The CHAI may arrange for such persons as it...

Payments and loans

9 (1) The Secretary of State may make payments out of...

Accounts

10 (1) The CHAI must keep its accounts in such form...

Seal and evidence

11 The application of the seal of the CHAI must be...

12 A document purporting to be duly executed under the seal...

SCHEDULE 7 — CSCI: supplementary

Status

1 (1) The CSCI's property is not to be regarded as...

General powers and duties

2 (1) The CSCI may do anything which appears to it...

Chairman and other members

3 (1) The CSCI is to consist of a chairman and...

Remuneration of chairman and other members

4 (1) The CSCI may pay to its chairman, or to...

Employees

5 (1) The CSCI must appoint a chief executive (to be...

Procedure

6 (1) The CSCI may— (a) appoint such committees and sub-committees...

Status: Point in time view as at 01/04/2006.

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003 is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Discharge of functions

- 7 (1) The CSCI may arrange for— (a) any of its...

Assistance

- 8 (1) The CSCI may arrange for such persons as it...

Payments and loans

- 9 (1) The Secretary of State may make payments out of...

Accounts

- 10 (1) The CSCI must keep its accounts in such form...

Seal and evidence

- 11 The application of the seal of the CSCI must be...
12 A document purporting to be duly executed under the seal...

SCHEDULE 8 — CHAI and CSCI: transfers of property and staff, etc

Transfer schemes

- 1 (1) The Secretary of State may make one or more...

Transfer

- 2 The property, rights and liabilities which are the subject of...

Employment

- 3 The transfer by paragraph 2 of the rights and liabilities...
4 (1) Paragraph 2 does not operate to transfer the rights...
5 For the purposes of this Schedule, where a person holds...

Transitional

- 6 (1) Anything done by or in relation to the transferor...

SCHEDULE 9 — Part 2: minor and consequential amendments

Public Records Act 1958 (c. 52)

- 1 In Schedule 1 to the Public Records Act 1958 (definition...

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

- 2 In the Schedule to the Public Bodies (Admission to Meetings)...

Parliamentary Commissioner Act 1967 (c. 13)

- 3 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

Local Authority Social Services Act 1970 (c. 42)

- 4 In the Local Authority Social Services Act 1970, in Schedule...

Status: Point in time view as at 01/04/2006.

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003 is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Superannuation Act 1972 (c. 11)

- 5 In Schedule 1 to the Superannuation Act 1972 (kinds of...
6 The CHAI and the CSCI must each pay to the...

House of Commons Disqualification Act 1975 (c. 24)

- 7 In the House of Commons Disqualification Act 1975, in Part...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 8 In the Northern Ireland Assembly Disqualification Act 1975, in Part...

National Health Service Act 1977 (c. 49)

- 9 In section 19A(2) of the 1977 Act, after paragraph (a)...

Children Act 1989 (c. 41)

- 10 (1) The Children Act 1989 has effect subject to the...

Health Service Commissioners Act 1993 (c. 46)

- 11 (1) The Health Service Commissioners Act 1993 has effect subject...

Audit Commission Act 1998 (c. 18)

- 12 (1) The Audit Commission Act 1998 has effect subject to...

Government of Wales Act 1998 (c. 38)

- 13 In Schedule 5 to the Government of Wales Act 1998,...

Protection of Children Act 1999 (c. 14)

- 14 In section 2A of the Protection of Children Act 1999,...

Local Government Act 1999 (c. 27)

- 15 In section 25(2) of the Local Government Act 1999, for...

Care Standards Act 2000 (c. 14)

- 16 The Care Standards Act 2000 has effect subject to the...
17 In section 5, in paragraph (a), for “the National Care...
18 (1) Section 8 is amended as follows.
19 In section 10— (a) subsection (1) is omitted; and
20 In section 11(4), for “the Commission” substitute “ the CHAI...
21 In section 23(4)(d), after the second “or” insert “ against...
22 In section 29(1)— (a) for “the Commission”, in the first...
23 In section 31— (a) in subsection (6), for “powers” substitute...
24 In section 36A for “the Commission”, in all places, substitute...
25 In section 42, at the end insert—
26 In section 45(4)— (a) omit “Subject to section 47(6)”;
27 In section 51(1), for the words from “in relation to”...
28 In section 55(3)(e)— (a) for “the Commission” substitute “ the...
29 In section 113, after subsection (1) insert—
30 In section 121, in the Table in subsection (13), insert...

Status: Point in time view as at 01/04/2006.

Changes to legislation: Health and Social Care (Community Health and Standards) Act 2003 is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Freedom of Information Act 2000 (c. 36)

- 31 In the Freedom of Information Act 2000, in Part 6...

Adoption and Children Act 2002 (c. 38)

- 32 In section 99 of the Adoption and Children Act 2002,...

SCHEDULE 10 — Recovery of NHS charges: exempted payments

- 1 Any payment made to or for the injured person under—...
- 2 Any payment made in the exercise of a discretion out...
- 3 Any payment made out of property held for the purposes...
- 4 (1) Any payment made to the injured person by an...
- 5 Any payment which apart from this paragraph would be made...
- 6 Any payment to the extent that it is made—
- 7 Any payment to the extent that it is made in...
- 8 Any payment of a prescribed description, either generally or in...

SCHEDULE 11 — Part 4: minor and consequential amendments

National Health Service (Amendment) Act 1949 (c. 93)

- 1 (1) The National Health Service (Amendment) Act 1949 (which is...

Health Services and Public Health Act 1968 (c. 46)

- 2 The Health Services and Public Health Act 1968 has effect...
- 3 (1) Section 59 is amended as follows.
- 4 In section 63(2)— (a) after paragraph (a) insert—
- 5 In section 64(3)(b), after “make arrangements” insert “ or any...

Patents Act 1977 (c. 37)

- 6 (1) Section 56(4)(a) of the Patents Act 1977 is amended...

National Health Service Act 1977 (c. 49)

- 7 The 1977 Act has effect subject to the following amendments....
- 8 In section 3, at the end insert—
- 9 In section 15(1)(a), for “general medical services, general dental services”...
- 10 In section 16BB(4), at the end insert “ (including functions...
- 11 In section 16BC(1), at the end insert “ or sections...
- 12 In section 18A(3)— (a) in paragraph (a), omit “general medical,...
- 13 (1) Section 26 is amended as follows.
- 14 In section 28C(1)(a) and (b), (2)(a) and (b) and (4),...
- 15 (1) Section 28D is amended as follows.
- 16 In section 28EE(2), for “personal” substitute “ primary ”.
- 17 In section 28I(a), for the words from “personal medical services”...
- 18 (1) Section 41(1) is amended as follows.
- 19 In section 43(1), for “general medical services or general dental...
- 20 In section 43D(10)— (a) omit paragraphs (a) and (b);
- 21 (1) Section 44 is amended as follows.
- 22 (1) Section 45 is amended as follows.
- 23 After section 45 insert— Local Medical Committees (1) A Primary Care Trust may recognise a committee formed...

Status: Point in time view as at 01/04/2006.

Changes to legislation: *Health and Social Care (Community Health and Standards) Act 2003 is up to date with all changes known to be in force on or before 08 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- 24 In section 49N(1)— (a) in paragraph (a), for “49F(1)(a) to...
- 25 Section 53 (immunisation) shall cease to have effect.
- 26 (1) Section 54 (as substituted by the National Health Service...
- 27 (1) Section 72 is amended as follows.
- 28 In section 77, at the end insert—
- 29 In section 78(3), for “paragraphs 2 and 5” substitute “...
- 30 In section 83(a), for “to 79” substitute “ and 78...
- 31 In section 83A(1)(a), for the words from “section 77(1)” to...
- 32 In section 85(1)— (a) insert “ or ” at the...
- 33 (1) Section 98 is amended as follows.
- 34 In section 99(1)— (a) insert “ and ” at the...
- 35 In section 100(1)— (a) insert “ and ” at the...
- 36 In section 103(1)(a)— (a) after “in respect of” insert “...
- 37 In section 105(2)(a), for the words from “as part of”...
- 38 In section 126(4), after “19A(7) above” insert “ , or...
- 39 In section 128(1), at the appropriate places in alphabetical order...
- 40 (1) In Schedule 7A, paragraph 3 is amended as follows....
- 41 In Schedule 8A, in paragraph 1(5), for the words from...
- 42 (1) Schedule 9A is amended as follows.
- 43 In Schedule 10, in paragraph 3, for “general medical services...
- 44 In Schedule 12, in paragraph 1(1)(b), for “accordance with section...
- 45 In Schedule 12A, insert “ or ” after paragraphs 1(2)(b),...

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

- 46 (1) Section 17D of the National Health Service (Scotland) Act...

Medical Act 1983 (c. 54)

- 47 The Medical Act 1983 is amended as follows.
- 48 In section 11(4), in the definition of “medical practice”—
- 49 In section 12(2)(a), for “general medical services under Part II...

Dentists Act 1984 (c. 24)

- 50 In section 40(2) of the Dentists Act 1984, after paragraph...

Community Health Councils (Access to Information) Act 1988 (c. 24)

- 51 In section 1(6) of the Community Health Councils (Access to...

Copyright, Designs and Patents Act 1988 (c. 48)

- 52 In section 240(4) of the Copyright, Designs and Patents Act...

Health and Medicines Act 1988 (c. 49)

- 53 The Health and Medicines Act 1988 has effect subject to...
- 54 In section 12(1)— (a) omit “The Dental Estimates Board shall...
- 55 In section 17(1)— (a) omit “29, 36”;

National Health Service and Community Care Act 1990 (c. 19)

- 56 (1) Section 18 of the National Health Service and Community...

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Access to Health Records Act 1990 (c. 23)

57 (1) The Access to Health Records Act 1990 is amended...

Water Industry Act 1991 (c. 56)

58 In Schedule 4A to the Water Industry Act 1991, for...

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

59 (1) Section 279 of the Trade Union and Labour Relations...

Health Service Commissioners Act 1993 (c. 46)

60 The Health Service Commissioners Act 1993 has effect subject to...

61 In section 2— (a) in subsection (1)(c), for the words...

62 (1) Section 2A is amended as follows.

63 In section 6(5)— (a) omit “29, 36”;

64 In section 18(1), after “partly” insert “ or wholly ”....

Employment Rights Act 1996 (c. 18)

65 (1) Section 43K of the Employment Rights Act 1996 is...

Education Act 1996 (c. 56)

66 In section 520(1) of the Education Act 1996, for “(1A)”...

Health Act 1999 (c. 8)

67 In Schedule 3 to the Health Act 1999, in paragraph...

Freedom of Information Act 2000 (c. 36)

68 In Schedule 1 to the Freedom of Information Act 2000,...

Health and Social Care Act 2001 (c. 15)

69 The Health and Social Care Act 2001 has effect subject...

70 Section 18 shall cease to have effect.

71 In section 28(4), for the words from “personal medical services”...

72 (1) Schedule 1 is amended as follows.

73 In Schedule 2, in paragraph 5(2), for paragraphs (c) and...

National Health Service Reform and Health Care Professions Act 2002 (c. 17)

74 (1) Section 17 of the National Health Service Reform and...

SCHEDULE 12 — Privy Council appointments

Pharmacy Act 1954 (2 & 3 Eliz 2 c. 61)

1 (1) The Pharmacy Act 1954 is amended as follows.

Medical Act 1983 (c. 54)

2 (1) Schedule 1 to the Medical Act 1983 (the General...

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Dentists Act 1984 (c. 24)

3 (1) Schedule 1 to the Dentists Act 1984 (the General...

Opticians Act 1989 (c. 44)

4 In Schedule 1 to the Opticians Act 1989 (the General...

Osteopaths Act 1993 (c. 21)

5 In the Schedule to the Osteopaths Act 1993 after paragraph...

Chiropractors Act 1994 (c. 17)

6 In Schedule 1 to the Chiropractors Act 1994 after paragraph...

The Nursing and Midwifery Order 2001 (S.I. 2002/253)

7 In Schedule 1 to the Nursing and Midwifery Order 2001...

The Health Professions Order 2001 (S.I. 2002/254)

8 In Schedule 1 to the Health Professions Order 2001 (the...

SCHEDULE 13 — Amendments consequential on the abolition of the Public Health
Laboratory Service Board

Parliamentary Commissioner Act 1967 (c. 13)

1 In paragraph 8(1) of Schedule 3 to the Parliamentary Commissioner...

House of Commons Disqualification Act 1975 (c. 24)

2 In Part 3 of Schedule 1 to the House of...

Race Relations Act 1976 (c. 74)

3 In Part 2 of Schedule 1A to the Race Relations...

National Health Service Act 1977 (c. 49)

4 In the National Health Service Act 1977—

Income and Corporation Taxes Act 1988 (c. 1)

5 In section 519A(2) of the Income and Corporation Taxes Act...

National Health Service and Community Care Act 1990 (c. 19)

6 In the National Health Service and Community Care Act 1990—...

Health Service Commissioners Act 1993 (c. 46)

7 In section 2(1) of the Health Service Commissioners Act 1993...

Employment Rights Act 1996 (c. 18)

8 In section 218(10) (list of health service employers affected by...

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Government of Wales Act 1998 (c. 38)

9 (1) In Schedule 5 to the Government of Wales Act...

Freedom of Information Act 2000 (c. 36)

10 In Schedule 1 to the Freedom of Information Act 2000...

International Development Act 2002 (c. 1)

11 In Schedule 1 to the International Development Act 2002 (bodies...

Nationality, Immigration and Asylum Act 2002 (c. 41)

12 In section 133(4) of the Nationality, Immigration and Asylum Act...

SCHEDULE 14 — Repeals and revocations

Part 1 — NHS FOUNDATION TRUSTS

Part 2 — STANDARDS

Part 3 — RECOVERY OF NHS CHARGES

Part 4 — DENTAL AND MEDICAL SERVICES

Part 5 — REPLACEMENT OF WELFARE FOOD SCHEMES

Part 6 — LOANS BY SECRETARY OF STATE TO NHS TRUSTS

Part 7 — ABOLITION OF THE PUBLIC HEALTH LABORATORY SERVICE BOARD

Status:

Point in time view as at 01/04/2006.

Changes to legislation:

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