



National Health Service Act 2006

2006 CHAPTER 41

PART 13

MISCELLANEOUS

Community services

256 Power of Primary Care Trusts to make payments towards expenditure on community services

- (1) A Primary Care Trust may make payments to—
- (a) a local social services authority towards expenditure incurred or to be incurred by it in connection with any social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)), other than functions under section 3 of the Disabled Persons (Employment) Act 1958 (c. 33),
 - (b) a district council, or a Welsh county council or county borough council, towards expenditure incurred or to be incurred by it in connection with its functions under Part 2 of Schedule 9 to the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) (meals and recreation for old people),
 - (c) an authority which is a local education authority for the purposes of the Education Act 1996 (c. 56), towards expenditure incurred or to be incurred by it in connection with its functions under the Education Acts (within the meaning of that Act), in so far as it performs those functions for the benefit of disabled persons,
 - (d) a local housing authority within the meaning of the Housing Act 1985 (c. 68), towards expenditure incurred or to be incurred by it in connection with its functions under Part 2 of that Act (provision of housing), or
 - (e) any of the bodies mentioned in subsection (2), in respect of expenditure incurred or to be incurred by it in connection with the provision of housing accommodation.
- (2) The bodies are—

Status: Point in time view as at 01/04/2010.

Changes to legislation: National Health Service Act 2006, Cross Heading: Community services is up to date with all changes known to be in force on or before 23 July 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)

- [^{F1}(za) a private registered provider of social housing,
 (a) a registered social landlord within the meaning of the Housing Act 1985 (see section 5(4) and (5) of that Act),
 [^{F2}(b) the Homes and Communities Agency,
 (ba) the Welsh new towns residuary body,
 (c) a new town development corporation,
 (d) an urban development corporation established under the Local Government, Planning and Land Act 1980 (c. 65),
 [^{F3}(e) the Regulator of Social Housing.]
- (3) A Primary Care Trust may make payments to a local authority towards expenditure incurred or to be incurred by the authority in connection with the performance of any of the authority's functions which, in the opinion of the Primary Care Trust—
- (a) have an effect on the health of any individuals,
 (b) have an effect on, or are affected by, any NHS functions, or
 (c) are connected with any NHS functions.
- (4) “NHS functions” means functions exercised by an NHS body.
- (5) A payment under this section may be made in respect of expenditure of a capital or of a revenue nature or in respect of both kinds of expenditure.
- (6) The Secretary of State may by directions prescribe conditions relating to payments under this section or section 257.
- (7) The conditions include, in particular, conditions requiring, in such circumstances as may be specified—
- (a) repayment of the whole or part of a payment under this section, or
 (b) in respect of property acquired with a payment under this section, payment of an amount representing the whole or part of an increase in the value of the property which has occurred since its acquisition.
- (8) No payment may be made under this section in respect of any expenditure unless the conditions relating to it conform with the conditions prescribed under subsection (6) for payments of that description.
- (9) “A disabled person” is a person who has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities or who has such other disability as may be prescribed.

Textual Amendments

- F1** S. 256(2)(za) inserted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 134(a)** (with art. 6, Sch. 3)
- F2** S. 256(2)(b)(ba) substituted for s. 256(2)(b) (1.12.2008) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2008 \(S.I. 2008/3002\)](#), art. 1(2), **Sch. 1 para. 52** (with Sch. 2) (see S.I. 2008/3068, art. 2(1)(b))
- F3** S. 256(2)(e) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 134(b)** (with art. 6, Sch. 3)

Modifications etc. (not altering text)

- C1** S. 256(2)(e) modified (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 3, **Sch. para. 1** (with art. 6)

Status: Point in time view as at 01/04/2010.

Changes to legislation: National Health Service Act 2006, Cross Heading: Community services is up to date with all changes known to be in force on or before 23 July 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)

C2 S. 256(3) modified by 2004 c. 17, s. 4(5)(a)(i) (as substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 258\(a\)](#) (with [Sch. 3 Pt. 1](#)))

257 Payments in respect of voluntary organisations under section 256

- (1) This section applies where the expenditure in respect of which a payment under section 256 is proposed to be made is expenditure in connection with services to be provided by a voluntary organisation.
- (2) Where this section applies, the Primary Care Trust may make payments to the voluntary organisation towards the expenditure incurred or to be incurred by the organisation in connection with the provision of those services, instead of or in addition to making payments under section 256(1) or (3).
- (3) Where this section applies—
 - (a) a body falling within any of paragraphs (a) to (d) of section 256(1) which has received payments under the paragraph, and
 - (b) a local authority which has received payments under section 256(3),may make out of the sums paid to it payments to the voluntary organisation towards expenditure incurred or to be incurred by the organisation in connection with the provision of those services.
- (4) No payment may be made under subsection (2) or (3) except subject to conditions which conform with the conditions prescribed for payments of that description under section 256(6).

Modifications etc. (not altering text)

C3 S. 257(2) modified by 2004 c. 17, s. 4(5)(a)(i) (as substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 1 para. 258\(a\)](#) (with [Sch. 3 Pt. 1](#)))

Status:

Point in time view as at 01/04/2010.

Changes to legislation:

National Health Service Act 2006, Cross Heading: Community services is up to date with all changes known to be in force on or before 23 July 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.