

Status: Point in time view as at 01/04/2008.

Changes to legislation: National Health Service Act 2006, SCHEDULE 1 is up to date with all changes known to be in force on or before 27 June 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)

SCHEDULES

SCHEDULE 1

Section 5

FURTHER PROVISION ABOUT THE SECRETARY OF STATE AND SERVICES UNDER THIS ACT

Medical inspection of pupils

- 1 The Secretary of State must provide for the medical inspection at appropriate intervals of pupils in attendance at schools maintained by local education authorities and for the medical treatment of such pupils.
- 2 (1) The Secretary of State may, by arrangement with any local education authority, provide for any medical inspection or treatment of—
- (a) senior pupils in attendance at any educational establishment, other than a school, which is maintained by the authority and at which full-time further education is provided, or
 - (b) any child or young person who, in pursuance of section 19 or 319 of the Education Act 1996 (c. 56), is receiving primary or secondary education otherwise than at a school.
- (2) The Secretary of State may, by arrangement with the proprietor of any educational establishment which is not maintained by a local education authority, provide for any medical inspection or treatment of junior or senior pupils in attendance at the establishment.
- (3) Sub-paragraphs (1) and (2) do not affect the Secretary of State's powers apart from those sub-paragraphs.
- 3 An arrangement under paragraph 2(1)(b) may provide for payments by the proprietor in question.
- 4 A local education authority may not make an arrangement under paragraph 2(1)
- (a) unless the governing body of the educational establishment agrees to the arrangement.
- 5 (1) Sub-paragraph (2) applies to—
- (a) each local education authority, in respect of the schools which it maintains (other than foundation, voluntary or foundation special schools), and
 - (b) each governing body of a foundation, voluntary or foundation special school, in respect of the school.
- (2) The local education authority or governing body must make available to the Secretary of State such accommodation as is appropriate for the purpose of assisting him to make provision under paragraph 1 in relation to the pupils in attendance at the schools or school in question.
- 6 In paragraphs 1 to 5 any expression to which a meaning is given for the purposes of the Education Act 1996 (c. 56) or the School Standards and Framework Act 1998 (c. 31) has that meaning.

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- 7 Any charge made under regulations under this Act in respect of the supply of drugs, medicines or appliances must be disregarded for the purposes of paragraphs 1 and 2.

Contraceptive services

- 8 The Secretary of State must arrange, to such extent as he considers necessary to meet all reasonable requirements, for—
- (a) the giving of advice on contraception,
 - (b) the medical examination of persons seeking advice on contraception,
 - (c) the treatment of such persons, and
 - (d) the supply of contraceptive substances and appliances.

Provision of vehicles for disabled persons

- 9 The Secretary of State may provide vehicles (including wheelchairs) for persons appearing to him to be persons who have a physical impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 10 (1) Sub-paragraphs (2) and (3) apply in respect of—
- (a) a vehicle provided under paragraph 9, and
 - (b) a vehicle belonging to a person mentioned in that paragraph.
- (2) The Secretary of State may—
- (a) adapt the vehicle to make it suitable for the circumstances of the person in question,
 - (b) maintain and repair the vehicle,
 - (c) take out insurance policies relating to the vehicle and pay any duty with which the vehicle is chargeable under the Vehicle Excise and Registration Act 1994 (c. 22),
 - (d) provide a structure in which the vehicle may be kept, and provide all material and execute all works necessary to erect the structure.
- (3) The Secretary of State may make payments by way of grant towards costs incurred by a person mentioned in paragraph 9 in respect of any matter mentioned in sub-paragraph (4) in relation to the vehicle.
- (4) The matters are—
- (a) the taking of action referred to in sub-paragraph (2),
 - (b) the purchase of fuel for the purposes of the vehicle, so far as the cost of the purchase is attributable to duties of excise payable in respect of the fuel, and
 - (c) the taking of instruction in the driving of the vehicle.
- (5) The powers under sub-paragraph (2) and sub-paragraph (3) may be exercised on such terms and subject to such conditions as the Secretary of State may determine.
- 11 Regulations may provide for any incidental or supplementary matter for which it appears to the Secretary of State necessary or expedient to provide in connection with—
- (a) the taking of action under paragraph 10(2), or
 - (b) the making of any payment under paragraph 10(3).

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Provision of a microbiological service by the Secretary of State

- 12 (1) The Secretary of State may—
- (a) provide a microbiological service for the control of the spread of infectious diseases, and
 - (b) carry on such other activities as in his opinion can conveniently be carried on in conjunction with that service.
- (2) The service may include the provision of laboratories.
- (3) Charges may be made for services or materials supplied.
- (4) A power under this paragraph may be exercised both for the purposes of the health service and for other purposes.

Powers of the Secretary of State in relation to research

- 13 (1) The Secretary of State may conduct research, or may assist any person to conduct research, into—
- (a) any matters relating to the causation, prevention, diagnosis or treatment of illness, and
 - (b) any such other matters connected with any service provided under this Act as the Secretary of State considers appropriate.
- (2) Assistance may be given by grants or otherwise.

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