



National Health Service Act 2006

2006 CHAPTER 41

PART 14

SUPPLEMENTARY

275 Interpretation

(1) In this Act (except where the context otherwise requires)—

“dental practitioner” means a person registered in the dentists register under the Dentists Act 1984 (c. 24),

“facilities” includes the provision of (or the use of) premises, goods, materials, vehicles, plant or apparatus,

^{F1}

“financial year” means a period of 12 months ending with 31st March in any year,

“functions” includes powers and duties,

“goods” include accommodation,

“the health service” means the health service continued under section 1(1) and under section 1(1) of the National Health Service (Wales) Act 2006 (c. 42),

“health service hospital” means a hospital vested in the Secretary of State for the purposes of his functions under this Act or vested in a Primary Care Trust, an NHS trust or an NHS foundation trust,

“hospital” means—

- (a) any institution for the reception and treatment of persons suffering from illness,
- (b) any maternity home, and
- (c) any institution for the reception and treatment of persons during convalescence or persons requiring medical rehabilitation,

Status: Point in time view as at 01/07/2012. This version of this provision has been superseded.

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and includes clinics, dispensaries and out-patient departments maintained in connection with any such home or institution, and “hospital accommodation” must be construed accordingly,

“illness” includes [^{F2}any disorder or disability of the mind] and any injury or disability requiring medical or dental treatment or nursing,

“local authority” means a county council, a county borough council, a district council, a London borough council, and the Common Council of the City of London,

^{F3}

“Local Health Board” means a body established under section 11 of the National Health Service (Wales) Act 2006 (c. 42),

“local pharmaceutical services” means such services as are prescribed under section 134(7) or paragraph 1(7) of Schedule 12,

“local social services authority” means the council of a non-metropolitan county, of a county borough or of a metropolitan district or London borough, or the Common Council of the City of London,

“medical” includes surgical,

“medical practitioner” means a registered medical practitioner within the meaning of Schedule 1 to the Interpretation Act 1978 (c. 30),

“medicine” includes such chemical re-agents as are included in a list approved by the Secretary of State for the purposes of section 126,

“modifications” includes additions, omissions and amendments,

“NHS trust” includes an NHS trust established under the National Health Service (Wales) Act 2006 [^{F4}and, subject to Schedule 8A, a body that becomes a National Health Service trust by virtue of an order made under section 52D(1) or 65E(1),],

“officer” includes servant,

“optometrist” means a person registered in the register of optometrists maintained under section 7 of the Opticians Act 1989 (c. 44) [^{F5}, or in the register of visiting optometrists from relevant European States maintained under section 8B(1)(a) of that Act,] or a body corporate registered in the register of bodies corporate maintained under section 9 of that Act carrying on business as an optometrist,

“patient” includes a woman who is pregnant or breast-feeding or who has recently given birth,

“prescribed” means prescribed by regulations made by the Secretary of State,

“property” includes rights,

[^{F6}“registered pharmacist” means a person registered as a pharmacist in Part 1 or 4 of the register maintained under article 19 of the Pharmacy Order 2010,]

[^{F7}“Regulation (EC) No. 883/2004” means Regulation (EC) No. 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems,]

“regulations” means regulations made by the Secretary of State,

[^{F8}“the regulator” means Monitor,]

“Special Health Authority” includes a Special Health Authority established under the National Health Service (Wales) Act 2006,

“university” includes a university college,

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“voluntary organisation” means a body the activities of which are carried on otherwise than for profit, but does not include any public or local authority.

[^{F9}“Welsh new towns residuary body” means the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a) (i) to (iii) of the New Towns Act 1981.]

- (2) In this Act (except where the context otherwise requires) any reference to a body established under this Act or the National Health Service (Wales) Act 2006 (c. 42) includes a reference to a body continued in existence by virtue of this Act or that Act.
- (3) So far as is necessary or expedient in consequence of a direction under section 7 or 15 providing for the exercise by a Strategic Health Authority, Primary Care Trust or Special Health Authority of a function exercisable by another person or body, any reference in any enactment, instrument or other document to that other person or body must be read as a reference to the Strategic Health Authority, Primary Care Trust or Special Health Authority.
- (4) Any reference in this Act to the purposes of a hospital is a reference to its general purposes and to any specific purpose.
- [^{F10}(5) In each of the following, the reference to section 3 includes a reference to section 117 of the Mental Health Act 1983 (after-care)—
 - (a) in section 223K(8), paragraph (a) of the definition of “relevant services”,
 - (b) in section 244(3), paragraph (a)(i) of the definition of “relevant health service provider”,
 - (c) in section 252A(10), the definition of “service arrangements”,
 - (d) section 253(1A)(d)(ii).]

Textual Amendments

- F1** Words in s. 275(1) omitted (18.1.2010) by virtue of [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 127** (with Sch. 5)
- F2** Words in s. 275(1) substituted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), s. 56(1), **Sch. 1 para. 24**; [S.I. 2008/1900](#), art. 2(a) (with art. 3, Sch.)
- F3** Words in s. 275(1) repealed (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, Sch. 2 para. 60(4), **Sch. 3 Pt. 2**
- F4** Words in s. 275(1) inserted (15.2.2010 for specified purposes) by [Health Act 2009 \(c. 21\)](#), **ss. 18(9)**, 40(1); [S.I. 2010/30](#), art. 3(b)
- F5** Words in s. 275(1) inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **203**
- F6** Words in s. 275(1) substituted (27.9.2010) by [The Pharmacy Order 2010 \(S.I. 2010/231\)](#), art. 1(5), **Sch. 4 para. 13(4)**; [S.I. 2010/1621](#), art. 2(1), Sch.
- F7** Words in s. 275(1) inserted (1.6.2010) by [The National Health Service \(Reimbursement of the Cost of EEA Treatment\) Regulations 2010 \(S.I. 2010/915\)](#), regs. 1(1), **4**
- F8** Words in s. 275(1) inserted (1.7.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 13 para. 11**; [S.I. 2012/1319](#), art. 2(3)
- F9** Words in s. 275(1) inserted (1.12.2008) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2008 \(S.I. 2008/3002\)](#), art. 1(2), **Sch. 1 para. 54** (with Sch. 2) (see [S.I. 2008/3068](#), art. 2(1)(b))
- F10** S. 275(5) inserted (27.3.2012 for specified purposes) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 40(5)**, 306(1)(d)(4)

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Modifications etc. (not altering text)

- C1** S. 275 modified (temp.) (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 3 para. 4** (with Sch. 3 Pt. 1)
- C2** S. 275 modified (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 2 para. 11** (with Sch. 3 Pt. 1)

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