
STATUTORY INSTRUMENTS

1968 No. 1362(C.15)**NATIONAL HEALTH SERVICE, ENGLAND AND WALES
PUBLIC HEALTH, ENGLAND AND WALES
NATIONAL ASSISTANCE SERVICES****The Health Services and Public Health Act 1968
(Commencement No. 1) Order 1968***Made* - - - *23rd August 1968*

The Minister of Health, in exercise of the powers conferred on him by section 79(2) of the Health Services and Public Health Act 1968(a), and of all other powers enabling him in that behalf, hereby orders as follows:—

1. This Order may be cited as the Health Services and Public Health Act 1968 (Commencement No. 1) Order 1968.

2. The appointed day for the coming into force of the provisions of the Health Services and Public Health Act 1968 specified in Schedule 1 to this Order in their application to England and Wales shall be 9th September 1968.

3. The appointed day for the coming into force of the provisions of the Health Services and Public Health Act 1968 specified in Schedule 2 to this Order in their application to England and Wales shall be 1st October 1968.

SCHEDULE 1
PROVISIONS COMING INTO FORCE 9TH SEPTEMBER 1968

Provisions of the Act	Subject matter of provisions
Section 5	Power of the Minister to designate certain hospitals in England and Wales as university hospitals.
Section 6	Power of Board of Governors of a teaching hospital to administer services outside the hospital.
Section 8	Amendments as to association with universities of provision of hospital and specialist services.
Section 10	Midwifery services.
Section 11	Health visiting and district nursing.
Section 12	Prophylaxis, care and after-care.
Section 17	Alteration of references to services provided in accordance with arrangements under section 41 of the National Health Service Act 1946(a).
Section 18(3)	Facilities for provision of ophthalmic services to be available at health centres.
Section 20	Redefinition of "dispensing optician" and "ophthalmic optician" for the purposes of the National Health Service Act 1946.
Section 21(2) and (3)	Additional pharmaceutical services for which facilities can be made available at health centres and prohibition of employment there of registered pharmacists.
Section 22	Use of health centres by practitioners.
Section 24	Power of Executive Councils to supply goods and materials to persons providing certain services.
Section 25	Disqualification of practitioners and others disqualified in Northern Ireland.
Section 30	Certificates for exemption from prescription charges.
Section 31	Power of the Minister to make services available and, in certain circumstances, to provide them otherwise than for purposes of hospital and specialist services.
Section 32	Power of the Minister to dispose of goods and, in certain circumstances, to produce or manufacture them otherwise than for purposes of hospital and specialist services.
Section 33	Provision of vehicles for persons suffering from physical defect or disability.

(a) 1946 c. 81.

Sch. 1 (continued)

Provisions of the Act	Subject matter of provisions
Section 34	Superannuation of officers of hospitals outside national health service used for providing hospital and specialist services.
Section 35	Compensation for loss of employment, etc., attributable to re-organisation of provision of hospital services, etc.
Section 36	Payment of allowances and remuneration to members of certain bodies established by or under the National Health Service Act 1946 and members of certain other bodies.
Section 39	Power to recover cost of replacing appliances where the replacement is necessitated by lack of care.
Section 40	Accommodation for persons displaced in course of development for purposes of the Acts relating to the national health service or to mental health.
Section 42	Orders and regulations under Part I.
Section 43	Interpretation of Part I.
Section 44	Extension of power under the National Assistance Act 1948(a) of local authority to provide accommodation.
Section 46	Application of Part II to the Isles of Scilly.
Section 59	Extension of power of user by Crown of patented invention to user for certain health services.
Section 61	Welfare foods.
Section 62	Hover vehicles brought within the scope of Acts relating to public health and food and drugs.
Section 63	Provision of instruction for officers of hospital authorities and other persons employed, or contemplating employment, in certain activities connected with health or welfare.
Section 64	Financial assistance by the Minister of Health to certain voluntary organisations.
Section 65	Financial and other assistance by local authorities to certain voluntary organisations.
Section 66	Payments in respect of travelling expenses of visitors to patients in special hospitals.
Section 67	Power of the Minister of Health to purchase goods for supply to local authorities and Executive Councils.

Sch. 1 (*continued*)

Provisions of the Act	Subject matter of provisions
Section 68	Amendment of Mental Health Act 1959(a) in case where functions under Part IV thereof of a county council are delegated.
Section 77	Expenses and receipts.
Section 78 (1) and schedule 3—Except so far as amendments to enactments or schemes refer specifically to sections 13 and 45 of the Health Services and Public Health Act 1968.	Consequential amendments and repeals.
Section 78 (2) and schedule 4 to the extent set out in the Appendix hereto.	
Section 79	Short title, citation, commencement, and extent.
Schedule 2—Part I	Enactments of the National Health Service Act 1946 applied for the purposes of Part I.

(a) 1959 c. 72.

APPENDIX TO SCHEDULE 1

REPEALS TAKING EFFECT ON THE 9TH SEPTEMBER, 1968

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 81.	The National Health Service Act 1946.	<p>In section 11, in subsection (9) in paragraph (i), the words "and compensation", except in relation to an order made in consequence of the occurrence, before the coming into operation of section 35 of this Act, of any of the events mentioned in paragraphs (a) to (c) of that subsection.</p> <p>Section 22(5). Section 23.</p> <p>In section 28, subsection (1) subsection (2) (except in relation to services provided before the coming into operation of section 12 of this Act) and subsection (3).</p> <p>In section 31, in subsection (5), the words "and their compensation by the Minister", except in relation to an order made under subsection (2), (3) or (4) of that section before the coming into operation of section 35 of this Act or an order made before the coming into operation of that section revoking an order made under any of those subsections.</p> <p>In section 40(2) (e), the words "and also for the remuneration of members of the Board".</p> <p>Section 48. Section 54(5).</p> <p>In section 63, the words from "or by any voluntary" to "1959".</p> <p>In Schedule 1, in paragraph 2, the words from "and for the making of such payments" onwards.</p> <p>In Schedule 3, in Part IV, paragraphs 2(c) and 5.</p> <p>In Schedule 6, paragraph 3(b). In Schedule 7, paragraph 6(b).</p>
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	<p>Section 26(6). Section 30(2). Section 31(3), except in relation to councils of county districts in England and Wales.</p>

Appx. to Sch. 1 (*continued*)

Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 93	The National Health Service (Amendment) Act 1949.	In section 21, the words "or ophthalmic or dispensing opti- cian", and the words "or op- tician". Section 22. In the Schedule, in Part I, the words from "In subsection (5) of section 54" to "(including travel- ling, and subsistence expenses)", the words from "In paragraph 2 of the First Schedule" to "usual place of residence" and the words from "At the end of the said Part IV" onwards (except so far as those words relate to the constitution of Executive Coun- cils the term of office of chairmen and the duties of medical officers of health).
14 & 15 Geo. 6. c. 53	The Midwives Act 1951.	In section 11(2), the words "or maternity nurses".
1 & 2 Eliz. 2. c. 47	The Emergency Laws (Miscellaneous Provisions) Act 1953.	Section 6(4).
7 & 8 Eliz. 2. c. 72	The Mental Health Act 1959.	Sections 6 and 7. Section 153(3). In Schedule 6, paragraph 1. In Schedule 7, the amendment of section 63 of the National Health Service Act 1946.
9 & 10 Eliz. 2. c. 43	The Public Authorities (Allowances) Act 1961.	Sections 4, 5 and 6.
10 & 11 Eliz. 2. c. 24	The National Assistance Act 1948 (Amendment) Act 1962.	As respects England and Wales, in section 1(1), subsection (3) of the section substituted for section 31 of the National Assistance Act 1948, except in relation to coun- cils of county districts.
1963 c. 33	The London Government Act 1963.	Section 45(4). Section 46(3).
1964 c.xxxv.	The Newcastle upon Tyne Corporation Act 1964.	Section 29.
1967 c. 39	The National Health Service (Family Planning) Act 1967.	In section 2, subsection (2) from the beginning to "section, and". In section 3(1)(a), the words "or section 61 of the Local Govern- ment Act 1958"(a).

SCHEDULE 2

PROVISIONS COMING INTO FORCE 1ST OCTOBER 1968

Provisions of the Act	Subject matter of provisions
Section 47	Redefinition of "notifiable disease".
Section 48	Cases of notifiable disease and food poisoning to be reported to local authority.
Section 49	Supply of forms for purposes of section 48.
Section 50	Fees for certificates under section 48.
Section 51	Reimbursement of fees in certain cases.
Section 52	Powers of local authority to extend category of notifiable diseases.
Section 53	Power of a justice of the peace to order examination of person believed to be a carrier of a notifiable disease.
Section 54	Power of a justice of the peace to order medical examination of group of persons believed to comprise a carrier of a notifiable disease.
Section 55	Construction of references to medical examination.
Section 56	Construction of section 143 of Public Health Act 1936(a).
Section 57	Interpretation of Part III.
Section 58	Extent of Part III.
Section 69	Repeal of section 172 of the Public Health Act 1936.
Section 70	Copy of notice under section 242 of the Public Health Act 1936 to be sent to health authority if it is not the local authority.
Section 78 (2) and schedule 4 to the extent set out in the Appendix hereto.	Repeals.

(a) 1936 c. 49.

APPENDIX TO SCHEDULE 2
REPEALS TAKING EFFECT ON THE 1ST OCTOBER, 1968

Chapter	Short Title	Extent of Repeal
26 Geo. 5 & 1 Edw. 8. c. 49	Public Health Act 1936	Sections 144 to 146 and section 172.
9 & 10 Geo. 6. c. 81	The National Health Service Act 1946.	In Schedule 10 the words from "Where the local authority" to "by the local health authority".
12, 13 & 14 Geo. 6. c. 93	The National Health Service (Amendment) Act 1949.	In the Schedule, in Part I, the words from "At the end of the said Part IV" onwards so far as they relate to the duties of medical officers of health.
4 & 5 Eliz. 2. c. 16	Food and Drugs Act 1955.	Section 26.

Given under the official seal of the Minister of Health on 23rd August, 1968.

(L.S.)

Kenneth Robinson,
Minister of Health.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order appoints 9th September 1968 as the appointed day for the coming into force of the provisions of the Health Services and Public Health Act 1968 listed in Schedule 1 to the Order, and 1st October 1968 as the appointed day for the coming into force of the provisions of the Act listed in Schedule 2 to the Order.