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STATUTORY INSTRUMENTS

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**1991 No. 554**

**The National Health Service Functions  
(Directions to Authorities and Administration  
Arrangements) Regulations 1991**

**PART II**

**DIRECTIONS TO REGIONAL AUTHORITIES**

**Functions exercisable by Regional Authorities**

**3.—(1)** Subject to paragraph (2) and regulation 4, every Regional Authority shall exercise the specified health service functions on behalf of the Secretary of State—

- (a) in so far as those functions consist of providing or securing the provision of services to patients, other than the services specified in sub-paragraph (b) of this paragraph, for the benefit of—
  - (i) persons usually resident in its region;
  - (ii) persons resident outside the United Kingdom who are present in its region;
- (b) in so far as those functions consist of providing or securing the provision of—
  - (i) accident and emergency services, including ambulance services provided in connection with those services; and
  - (ii) any other services which the Secretary of State may direct, for the benefit of all persons present in its region; and
- (c) in so far as those functions consist of any other functions, generally as respects its region.

(2) The functions exercisable by a Regional Authority under paragraph (1)(a) do not include providing or securing the provision of any services which are, or are to be, purchased by the members of a recognised fund-holding practice in accordance with Regulations under section 15(7) of the 1990 Act.

(3) A Regional Authority shall exercise the specified health service functions in accordance with paragraph (1) at or from hospitals, establishments and facilities owned by the Secretary of State for the purposes of the health service and situated in its region or anywhere outside its region as the Secretary of State may direct, as well as by means of NHS and other contracts.

**Restriction on the exercise of functions by Regional Authorities**

**4.—(1)** The exercise by a Regional Authority of specified health service functions is subject to such limitations as the Secretary of State may direct and shall be in accordance with any directions which are given by the Secretary of State.

(2) Nothing in these Regulations is to be taken as giving directions for the exercise of any function conferred on or vested in the Secretary of State with respect to the making of any Order or Regulations.

(3) Nothing in these Regulations enables a Regional Authority to exercise the functions of the Secretary of State under section 87(1) of the Act with respect to—

- (a) the compulsory acquisition of land; or
- (b) land or other property where the function is exercisable by a Family Authority by virtue of regulation 11(3)(a)

or to give directions to a District Authority which would empower a District Authority to exercise those functions.

(4) The power of the Secretary of State under section 2 of the Act is exercisable by a Regional Authority only to such extent as is necessary for the proper exercise of one or more other functions which the Secretary of State has directed that Authority to exercise on his behalf.

(5) Where, in the exercise of specified health service functions, arrangements are made with medical practitioners for the vaccination or immunisation of persons against disease, every medical practitioner providing general medical services shall, so far as is reasonably practicable, be given an opportunity to participate in the arrangements.

(6) Approval of a medical practitioner for the purposes of section 12(2) of the Mental Health Act 1983(1) (approval of medical specialists) as having special experience in the diagnosis and treatment of mental disorder shall be given only—

- (a) after the carrying out of such consultations, and obtaining of such advice, as the Secretary of State shall direct;
- (b) for such periods as the Secretary of State shall direct.

(7) The exercise of the Secretary of State's function under section 3(1)(c) of the act with respect to the provision of ambulance services is subject to obtaining his approval to the proposed arrangements for such exercise.

(8) In the exercise of the Secretary of State's specified health service functions under section 25 of the Act, such charges shall be made with respect to the supplies of human blood as are determined by the Secretary of State.