



Local Government Act 1972

1972 CHAPTER 70

PART VII

MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

Staff

113 Placing of staff of local authorities at disposal of other local authorities.

- (1) Without prejudice to any powers exercisable apart from this section, a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him.
- ^[F1](1A) Without prejudice to any powers exercisable apart from this section, a local authority may enter into an agreement with ^[F2]the National Institute for Health and Care Excellence, ^[F3]the Secretary of State, ^[F4]NHS England, ^[F5]... a ^[F6]Strategic Health Authority, ^[F7]^[F8]Local Health Board, ^[F9]integrated care board, ^[F10]Special Health Authority, ^[F10]... ^[F11], NHS trust or NHS foundation trust—
- (a) for the placing at the disposal of ^[F12]the National Institute for Health and Care Excellence, ^[F13]the Secretary of State, ^[F4]NHS England, ^[F10]... the ^[F6]Strategic Health Authority, ^[F14]^[F8]Local Health Board, ^[F9]integrated care board, ^[F11]Special Health Authority ^[F11], NHS trust or NHS foundation trust] for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the local authority;
- (b) for the placing at the disposal of the local authority for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by ^[F15]the National Institute for Health and Care Excellence, ^[F16]the Secretary of State, ^[F4]NHS England, ^[F10]... the ^[F6]Strategic Health Authority, ^[F17]^[F8]Local Health Board, ^[F9]integrated care board, ^[F11]Special Health Authority ^[F11], NHS trust or NHS foundation trust];

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but a local authority shall not enter into an agreement in pursuance of paragraph (a) of this subsection in respect of any officer without consulting him.]

- (2) For superannuation purposes service rendered by an officer of a local authority whose services are placed at the disposal of another local authority in pursuance of this section is service rendered to the authority by whom he is employed, but any such officer shall be treated for the purposes of any enactment relating to the discharge of local authorities' functions as an officer of that other local authority.
- [^{F18}(3) An officer whose services are placed at the disposal of a local authority in pursuance of subsection (1A) of this section shall be treated as an officer of the authority for the purposes of any enactment relating to the discharge of local authorities' functions.]
- [^{F19}(4) In subsection (1A) above [^{F20} "Secretary of State" means the Secretary of State in relation to the exercise of functions under section 2A or 2B of, or paragraph 7C, 8 or 12 of Schedule 1 to, the National Health Service Act 2006,][^{F21} "Local Health Board" means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006,][^{F22}^{F23} "integrated care board" means a body established under section 14Z25] of the National Health Service Act 2006, and] "NHS trust" means a National Health Service trust established under [^{F24}section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006]^{F25}....]

Textual Amendments

- F1** S. 113(1A) added by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), **Sch. 4 para. 151(1)**
- F2** Words in s. 113(1A) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 17 para. 3(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in s. 113(1A) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 17(a)(i)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F4** Words in s. 113 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F5** Words in s. 113(1A) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 7 para. 3**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** Words in s. 113(1A) inserted (1.10.2002) by [The National Health Service Reform and Health Care Professions Act 2002 \(Supplementary, Consequential etc. Provisions\) Regulations 2002 \(S.I. 2002/2469\)](#), reg. 4, **Sch. 1 para. 7**
- F7** Words in s. 113(1A) substituted (8.2.2000) by virtue of S.I. 2000/90, art. 3(1), **Sch. 1 para. 10(a)**
- F8** Words in s. 113(1A) (1A)(a) (1A)(b) substituted (1.4.2007) by [The References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), **Sch. para. 8(2)(a)**
- F9** Words in s. 113(1A) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 4 para. 11(2)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F10** Words in s. 113(1A) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 17(a)(iii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F11** Words in s. 113(1A) substituted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 199, **Sch. 4 para. 18**; S.I. 2004/759, **art. 2**
- F12** Words in s. 113(1A)(a) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 17 para. 3(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F13** Words in s. 113(1A)(a) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 17(a)(iv)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F14** Words in s. 113(1A)(a) substituted (28.6.1995 for certain purposes otherwise 1.4.1996) by [1995 c. 17](#), ss. 2(1)(3), 8(1), **Sch. 1 Pt. III para. 97(2)(b)** (with Sch. 2 paras. 6, 16)

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- F15** Words in s. 113(1A)(b) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 17 para. 3(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F16** Words in s. 113(1A)(b) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 17(a)(v)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F17** Words in s. 113(1A)(b) substituted (28.6.1995 for certain purposes otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), **Sch. 1 Pt. III para. 97(2)(c)** (with Sch. 2 paras. 6, 16)
- F18** S. 113(3) added by National Health Service Reorganisation Act 1973 (c. 32), **Sch. 4 para. 151(2)**
- F19** S. 113(4) inserted by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(1), **Sch. 9 para. 13(b)**
- F20** Words in s. 113(4) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 17(b)(i)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F21** Words in s. 113(4) inserted (1.4.2007) by The References to Health Authorities Order 2007 (S.I. 2007/961), **Sch. para. 8(2)(b)**
- F22** Words in s. 113(4) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 17(b)(ii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F23** Words in s. 113(4) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 11(3)**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F24** Words in s. 113(4) substituted (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 51(a)** (with Sch. 3 Pt. 1)
- F25** Words in s. 113(4) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 17(b)(iii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

Modifications etc. (not altering text)

- C1** S. 113 extended by City of London (Various Powers) Act 1977 (c. xv), **s. 19**
- C2** S. 113 amended by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 57(7), **Sch. 13 para. 12(b)**
- C3** S. 113 modified (7.8.1991) by S.I. 1991/1773, art. 8(2), **Sch. 2**
S. 113: certain functions transferred (7.8.1991) by S.I. 1991/1773, art. 8, **Sch. 2**
- C4** S. 113 modified (10.1.1992) by S.I. 1991/2913, art. 8(2), **Sch. 2**
S. 113: certain functions transferred (10.1.1992) by S.I. 1991/2913, art. 8, **Sch. 2**
S. 113 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))
S. 113: certain functions transferred (temp. from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 3(3)**
S. 113 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(b)**
S. 113 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 13(6)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
S. 113: power to make provisions about matters of the kind dealt with in this section conferred (1.9.1997) by 1997 c. 50, s. 44(1), **Sch. 4(a)(vi)**; S.I. 1997/1930, **art. 2(1)(2)(m)**
- C5** S. 113 applied (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 17(6)**
S. 113 applied (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 17(6)**
- C6** Ss. 112-117 applied (with modifications) (E.) (24.3.2011) by The Hull and Goole Port Health Authority Order 2011 (S.I. 2011/939), arts. 1(1), 7, **Sch. 1**
- C7** S. 113 modified (1.4.2016) by The Tees Valley Combined Authority Order 2016 (S.I. 2016/449), arts. 1(a), **8(a)**
- C8** S. 113 modified (9.2.2017) by The West of England Combined Authority Order 2017 (S.I. 2017/126), arts. 1(3), **26(a)**
- C9** S. 113 modified (3.3.2017) by The Cambridgeshire and Peterborough Combined Authority Order 2017 (S.I. 2017/251), arts. 1(2)(b), **13(a)**
- C10** S. 113 modified (1.4.2018) by The Sub-national Transport Body (Transport for the North) Regulations 2018 (S.I. 2018/103), regs. 1(2), **19(3)(a)**

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- C11** S. 113 modified (2.11.2018) by The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (S.I. 2018/1133), arts. 1, **20(2)(a)** (with art. 28)
- C12** S. 113 modified (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), **26(1)(a)**
- C13** S. 113 applied (28.2.2024) by The East Midlands Combined County Authority Regulations 2024 (S.I. 2024/232), regs. 1(2), **33**
- C14** S. 113(1) restricted by Local Government Act 1985 (c. 51, SIF 81:1), s. 91, **Sch. 15 para. 1(2)(a)**

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Changes and effects yet to be applied to :

- s. 113 applied by [S.I. 2024/402 art. 48\(1\)\(2\)](#)
- s. 113(4) words omitted by [2012 c. 7 Sch. 14 para. 45](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)