



National Health Service Act 1977

CHAPTER 49

NATIONAL HEALTH SERVICE ACT 1977

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- 3 It is the duty of the local education authorities in...
- 4 In section 5 above, and in this Schedule expressions to...

SCHEDULE 2 — Additional Provisions as to Vehicles for Those Suffering Disability

- 1 The Secretary of State has power, in the case of...
- 2 The Secretary of State may, on such terms and subject...
- 3 Regulations may provide for any incidental or supplementary matter for...
- 4 In paragraph (a) of section 5(2) above, and in this...

SCHEDULE 3 — Public Health Laboratory Service Board

Part I — CONSTITUTION OF THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 1 The Public Health Laboratory Service Board shall be a body...
- 2 The Board may accept, hold and administer properly on trust...
- 3 The Board shall consist of a chairman appointed by the...
- 4 Subject to paragraph 5 below members shall be appointed for...
- 5 Any member appointed to fill a casual vacancy shall be...
- 6 A member may at any time resign his office.
- 7 A person who is or has been a member of...
- 8 The Board may elect a deputy chairman and may appoint...
- 9 The proceedings of the Board or any committee appointed by...
- 10 The Board and, subject to any directions of the Board,...

Part II — ADDITIONAL PROVISIONS AS TO THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 11 The Board may appoint such officers and servants, on such...
- 12 The Board may pay to its members and to the...
- 13 The Board shall exercise their functions in accordance with any...
- 14 The Secretary of State shall pay to the Board, out...
- 15 Any sums received by the Board (otherwise than in exercise...
- 16 The Board shall keep proper accounts and other records in...
- 17 The Board shall prepare and transmit to the Secretary of...
- 18 The Secretary of State shall transmit these statements of accounts...

SCHEDULE 4 — Central Health Services Council and Advisory Committees

- 1

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Supplementary provisions

- 2 Regulations may make provision with respect to the appointment, tenure...
- 3 The Secretary of State shall appoint a secretary to
- 4 ... any standing advisory committee may appoint such...
- 5 ... and any standing advisory committee shall elect...
- 6 The proceedings of ... any standing advisory committee...

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- 1 A Health Authority shall consist of— (a) a chairman appointed...
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- 3 Regulations shall provide that each of the persons who is...
- 4 Regulations may provide for a person of a prescribed description...
- 4A Paragraphs 1 to 4 above apply in relation to Health...

Part I — MEMBERSHIP OF REGIONAL AREA AND DISTRICT HEALTH AUTHORITIES

Regional Health Authorities

- 1 (1) A Regional Health Authority shall consist of a chairman...

Area Health Authorities

- 2 (1) ... an Area or District Health Authority...
- 3 Paragraph 2 above applies to an Area or District Health...
- 4

Supplemental

- 5 (1) For the purposes of paragraphs 2 to 4 above—...
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- 6 (1) Subject to paragraph 7 below, a Family Practitioner Committee...
- 7 (1) If it appears to the Secretary of State that,...
- 7A (1) Any member of a Family Practitioner Committee appointed by...

Part III — SUPPLEMENTARY PROVISIONS

Corporate status

- 8 Each Health Authority and each Special Health Authority (hereinafter in...

Pay and allowances

- 9 (1) The Secretary of State may pay to the chairman...

Staff

- 10 (1) Subject to and in accordance with regulations and such...
- 11 (1) It shall be the duty of the Secretary of...

Miscellaneous

- 12 Provision may be made by regulations as to—
- 12A Regulations made by virtue of this Schedule may make provision...

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- 13 An authority may pay subscriptions, of such amounts as the...
- 14 The proceedings of an authority shall not be invalidated by...
- 15 (1) Any rights acquired, or liabilities (including liabilities in tort)...
- 16 Provision may be made by regulations with respect to the...

Schedule 5A — Primary Care Trusts

Part I — PCT ORDERS

- 1 (1) A PCT order shall specify— (a) the name of...
- 2 (1) A PCT order may provide for the establishment of...

Part II — CONSTITUTION AND MEMBERSHIP

Corporate status

- 3 Every Primary Care Trust shall be a body corporate.

Membership

- 4 The members of a Primary Care Trust shall be—
- 5 (1) Regulations may make provision about— (a) the appointment of...
- 6 Any reference in this Part of this Schedule to a...
- 7 The validity of any proceedings of a Primary Care Trust,...

Staff

- 8 (1) A Primary Care Trust may employ such officers as...
- 9 (1) Without prejudice to the generality of section 17 above...
- 10 In addition to making provision in relation to Health Authorities...
- 10A Where the registration of a dentist in the dentist's register...

Remuneration, pensions etc

- 11 (1) A Primary Care Trust may pay the chairman and...

Part III — POWERS AND DUTIES

General powers

- 12 (1) A Primary Care Trust may do anything which appears...
- 13 (1) Any rights acquired, or liabilities (including liabilities in tort)...

Specific powers

- 14 (1) A Primary Care Trust may conduct, commission or assist...
- 15 A Primary Care Trust may— (a) make officers available in...

Specific duties

- 16 (1) As soon as is practicable after the end of...
- 17 Provision must be made by regulations requiring Primary Care Trusts...

Status

- 18 A Primary Care Trust is not to be regarded as...

Compulsory acquisition

- 19 (1) A Primary Care Trust may be authorised to purchase...

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Dissolution

- 20 (1) The Secretary of State may, if a Primary Care...
 Part IV — TRANSFER OF PROPERTY
- 21 (1) The Secretary of State may by order (referred to...
- 22 (1) Stamp duty is not chargeable in respect of any...
 Part V — TRANSFER OF STAFF
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- 24 (1) The contract of employment of an employee transferred under...
- 25 (1) Where an employee is to be transferred by an...
- 26 Where a Primary Care Trust is dissolved, an order under...

SCHEDULE 5B — Local Health Boards

Part 1 — LHB ORDERS

- 1 (1) An LHB order shall specify— (a) the name of...
- 2 (1) An LHB order may provide for the establishment of...

Part 2 — STATUS, CONSTITUTION AND MEMBERSHIP

- 3 *Status*
- 4 Every Local Health Board shall be a body corporate.
- 5 *Membership*
- 6 (1) The National Assembly for Wales may by regulations make...
- 7 Any reference in this Part of this Schedule to a...
- 8 The validity of proceedings of a Local Health Board, or...
- 9 *Staff*
- 10 (1) Without prejudice to the generality of section 16BB above...
- 11 In addition to making provision in relation to Strategic Health...
- 12 *Remuneration, pensions etc of members*

Part 3 — OTHER MATTERS

- 13 *General powers*
- 14 (1) Any rights acquired, or liabilities (including liabilities in tort)...
- 15 *Specific powers and duties*
- 16 A Local Health Board may— (a) make officers available in...
- 17 The National Assembly for Wales may by regulations make provision...
- 18 *Compulsory acquisition*
- 19 *Dissolution*
- 20 *Transfer of property*
- 21 (1) Stamp duty is not chargeable in respect of any...
- 22 *Transfer of staff*
- 23 (1) The contract of employment of an employee transferred under...
- 24 (1) Where an employee is to be transferred by an...
- 25 Where a Local Health Board is dissolved, an order under...
- 26 *Interpretation*

SCHEDULE 6 — Additional Provisions as to Advisory Committees for Wales

- 1 (1) Where the Secretary of State is satisfied that a...
- 2 The Secretary of State may, by notice in writing served...
- 3 It is the duty of any duly recognised committee for...
- 4
- 5 The Secretary of State may defray such expenses incurred by...

SCHEDULE 7 — Additional Provisions as to Community Health Councils

- 1 It is the duty of a Community Health Council (in...
- 2 Regulations may provide as to— (a) the membership of Councils...

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- 3 It is the Secretary of State's duty to exercise his...
- 4 Nothing in paragraph 3 above affects the validity of anything...
- 5 The Secretary of State may by regulations—
- 6 The Secretary of State may pay to members of Councils...
- 7 In this Schedule— “local authority” means the council of a...
- 8

SCHEDULE 8 — Local Social Services Authorities

Care of mothers and young children

- 1 (1) A local social services authority may, with the Secretary...

Prevention, care and after-care

- 2 (1) A local social services authority may, with the Secretary...

Home help and laundry facilities

- 3 (1) It is the duty of every local social services...

Research

- 4 Without prejudice to any powers conferred on them by any...

SCHEDULE 8A — Local Pharmaceutical Services Schemes

- 1 *Provision of local pharmaceutical services*
- 2 *Designation of priority neighbourhoods or premises*
- 3 *Regulations*
- 4 (1) Regulations may provide for the making and recovery, in...

SCHEDULE 9 — Tribunal for Purposes of Section 46

Constitution of Tribunal

- 1 The Tribunal shall consist of— (a) a chairman appointed by...
- 2 A person appointed as the chairman or a deputy chairman...
- 3 Any appointment for the purposes of paragraph 1(c) above shall...
- 4 Any appointment for the purposes of any of sub-paragraphs (d)...
- 5 If any member of the Tribunal is unable to act...

Sittings of Tribunal

- 5A (1) The functions of the Tribunal shall be exercised by...

Supplementary

- 6 Regulations may provide for the appointment, tenure of office and...

SCHEDULE 9A — The Family Health Services Appeal Authority

- 1 *Constitution*
- 2 The number of the other members shall be determined by...
- 3 A person appointed as the President shall have a 10...
- 4 The qualifications which the other members must have in order...
- 5 Each person appointed under paragraph 1— (a) shall hold and...
- 6 The other members must include at least one—

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- 7 *Procedure*
- 8 The functions of the FHSAA shall be exercised by panels...
- 9 Subject to paragraph 10, at least one member of each...
- 10 In the case of a panel constituted for the purposes...
- 11 Where a panel has more than one member—
- 12 The FHSAA shall— (a) give notice of a panel’s decision...
- 13 The following decisions fall within this paragraph—
- 14 The FHSAA may publish a decision not falling within paragraph...
- 15 The Lord Chancellor may make rules as to—
- 16 The Lord Chancellor shall make rules— (a) giving each party...
- 17 Rules under this Schedule may, in particular, make provision—
- 18 No person shall be required by virtue of any such...
- 19 *Miscellaneous*
- 20 The President must arrange such training for himself and the...
- 21 *Interpretation*

SCHEDULE 10 — Additional Provisions as to Prohibition of Sale of Medical Practices

Prohibition, and certificate of Medical Practices Committee

- 1 (1) Any person who buys or sells the goodwill,

Certain transactions deemed sale of goodwill

- 2 (1) For the purposes of section 54(1) and paragraph 1,...

Carried-over goodwill

- 3 The fact that a person’s medical practice was previously carried...

SCHEDULE 11 — Additional Provisions as to the Control of Maximum Prices for Medical Supplies

Orders and directions

- 1 (1) Any power of making orders under section 57 above...

Notices, authorisations and proof of documents

- 2 (1) A notice to be served on any person for...

Territorial extent

- 3 So far as any provisions contained in or having effect...

False documents and false statements

- 4 (1) A person shall not, with intent to deceive—

Restrictions on disclosing information

- 5 No person who obtains any information by virtue of section...

Offences by corporations

- 6 Where an offence under this Schedule committed by a body...

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Penalties

- 7 (1) If any person contravenes or fails to comply with...

Production of documents

- 8 (1) For the purposes— (a) of securing compliance with any...
9 (1) If a justice of the peace is satisfied, on...

Northern Ireland

- 10 (1) So far as the Secretary of State's power under...

SCHEDULE 12 — Additional Provisions as to Regulations for the Making and Recovery of Charges

Regulations under section 77—charges for drugs, medicines or appliances, or pharmaceutical services

- 1 (1) No charge shall be made under section 77(1) above...

Regulations under section 78—charges for dental or optical appliances

- 2 (1) The optical appliances referred to in section 78(1) above...
2A (1) It shall be the duty of the Secretary of...

Regulations under section 79—charges for dental treatment

- 3 (1)

Miscellaneous Provisions

- 4 For the purposes of paragraph (a) of section 5(1) above...
5
6 For the purposes of sections 77 and 78 above and...
7 References in this Schedule to qualifying full-time education mean full-time...

SCHEDULE 12A — Expenditure of Health Authorities and Primary Care Trusts

Health Authorities: general Part II expenditure

- 1 (1) In section 97 above and this Schedule, general Part...

Health Authorities: main expenditure

- 2 (1) In section 97 above, main expenditure, in relation to...
3 (1) For each financial year, the Secretary of State shall...

PCTs: general Part II expenditure

- 4 (1) In section 97C above and this Schedule, general Part...

PCTs: main expenditure

- 5 (1) In section 97C above, main expenditure, in relation to...
6 (1) For each financial year, a Health Authority may apportion,...
6A *Local Health Boards: general Part 2 expenditure*

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- 6B *Local Health Boards: main expenditure*
6C (1) For each financial year, the National Assembly for Wales...

Interpretation

- 7 (1) In this Schedule— “designated” means designated in writing by...

SCHEDULE 13 —

Part I — PROCEDURAL AND OTHER PROVISIONS

Procedure in respect of investigations

- 1 Where the Commissioner proposes to conduct an investigation pursuant to...
2 Every such investigation shall be conducted in private, but except...
3 Without prejudice to the generality of paragraph 2 above, the...
4 The Commissioner may, if he thinks fit, pay to the...
5 The conduct of an investigation under Part V of this...
6 Where the person aggrieved has been removed from the United...

Evidence

- 7 For the purposes of an investigation under Part V of...
8 For the purposes of any such investigation the Commissioner shall...
9 No obligation to maintain secrecy or other restriction upon the...
10 No person shall be required or authorised by Part V...
11 Subject to paragraph 9 above, no person shall be compelled...

Obstruction and contempt

- 12 If any person without lawful excuse obstructs the Commissioner or...
13 Where an offence is certified under paragraph 12 above, the...
14 Nothing in paragraphs 12 and 13 above shall be construed...

Secrecy of information

- 15
16 Information obtained by the Commissioner or his officers in the...
16A (1) Where the Commissioner also holds office as a relevant...
17 A Minister of the Crown may give notice in writing...
18 Where a notice under paragraph 17 above is given nothing...

Part II

Matters not subject to investigation by the Health Service Commissioner for England or the Health Service Commissioner for Wales

- 19 The following matters are not subject to investigation by the...

SCHEDULE 14 — Transitional Provisions and Savings

General

- 1 (1) In so far as— (a) any agreement, appointment, apportionment,...
2 Where any instrument or document refers either expressly or by...
3 Where any period of time specified in an enactment repealed...

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Medical schools in London

4 Notwithstanding the repeal by this Act of section 15 of...

Section 36 of the National Health Service Act 1946

5 Notwithstanding the repeal by this Act of section 36 of...

Local Acts and charters

6 (1) Where at the passing of the National Health Service...

Persons authorised to provide pharmaceutical services

7 (1) A person who for three years immediately before 16th...

Disqualification of practitioners

8 Where by virtue of section 42(8) of the National Health...

Definition of “local authority”

9 The definition of “local authority” in section 128(1) above includes...

Sections 3 and 4 of the Health Services and Public Health Act 1968

10 (1) Notwithstanding the repeal by this Act of section 3...

Vehicles under section 33 of the Health Services and Public Health Act 1968

11 The provision of vehicles as mentioned in section 33 of...

Prevention, care and after-care

12 Any arrangements made under section 28(1) of the National Health...

Saving of amendments

13 (1) Notwithstanding the repeal by this Act of section 76...

Transfers of property by voluntary organisations

14 Notwithstanding the repeal by this Act of section 23(2) of...

Mental Health Act 1959

15 (1) Any regulations under section 7 of the Mental Health...

The National Health Service Reorganisation Act 1973

16

Complaints in respect of preserved Boards or bodies abolished under section 14 of the National Health Service Reorganisation Act 1973

17

Permission deemed to have been granted under section 9(5) of the Health Services Act 1976

18 Where under any arrangements terminated by virtue of section 9(5)...

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SCHEDULE 15 — Consequential Amendments

- 1
- The Education Act 1944 c.31*
- 2
- The Education Act 1946 c.50*
- 3
- The Polish Resettlement Act 1947 c.19*
- 4 In section 4(1) of the Polish Resettlement Act 1947, for...
- The National Assistance Act 1948 c.29*
- 5 In paragraph (c) of section 21(7) of the National Assistance...
- 6 In paragraph (b) of section 29(6) of the National Assistance...
- 7 In section 47(8) of the National Assistance Act 1948, for...
- The Law Reform (Personal Injuries) Act 1948 c.41*
- 8 In section 2(4) of the Law Reform (Personal Injuries) Act...
- The Children Act 1948 c. 43*
- 9 In section 59(1) of the Children Act 1948, in the...
- The Nurseries and Child-Minders Regulation Act 1948 c.53*
- 10
- 11
- The Reserve and Auxilliary Forces (Protection of Civil Interests) Act 1951 c.65*
- 12 In Part I of Schedule 2 to the Reserve and...
- The Landlord and Tenant Act 1954 c.56*
- 13 In section 57(6) of the Landlord and Tenant Act 1954,...
- 14
- 15—17
- 18
- 19, 20
- The Disabled Persons (Employment) Act 1958 c.33*
- 21 In section 3(2) of the Disabled Persons (Employment) Act 1958,...
- The Public Records Act 1958 c.51*
- 22 In Part I of the Table in Schedule 1 to...
- The Mental Health Act 1959 c.72*
- 23
- 24 (1) In subsection (1) of section 8 of the Mental...
- 25

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- 26—28
- 29 In paragraph (b) of section 128(1) of the Mental Health...
- 30—31
- 32 In section 142(2) of the Mental Health Act 1959, for...
- 33
- 34 In section 154(2) of the Mental Health Act 1959, for...
- 35
- 36
- 37 In section 10 of the National Health Service Act 1966—...
- 38
- 39

The Superannuation (Miscellaneous Provisions) Act 1967 c. 28

- 40 In section 7(1) of the Superannuation (Miscellaneous Provisions) Act 1967,...
- 41

The Leasehold Reform Act 1967 c.88

- 42 In paragraph (c) of section 28(6) of the Leasehold Reform...

The Health Services and Public Health Act 1968 c.46

- 43 In paragraph (b) of section 45(4) of the Health Services...
- 44 In section 59(2) of the Health Services and Public Health...
- 45 (1) In paragraph (b) of section 63(2) of the Health...
- 46 In section 64(3) of the Health Services and Public Health...
- 47 In section 65(3) of the Health Services and Public Health...

The Social Work (Scotland) Act 1968 c.49

- 48 In section 86(3) of the Social Work (Scotland) Act 1968,...

The Medicines Act 1968 c.67

- 49 In section 131(5) of the Medicines Act 1968, for the...
- 50 In section 132(1) of the Medicines Act 1968, in the...

The Local Authority Social Services Act 1970 c.42

- 51 In Schedule 1 of the Local Authority Social Services Act...
- 52

The Tribunals and Inquiries Act 1971 c. 62

- 53

The Finance Act 1971 c.68

- 54
- 55 In paragraph 1(1) of Schedule 13 to the Finance Act...
- 56
- 57

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The National Health Service Reorganisation Act 1973 c.32

- 58 In section 14(2) of the National Health Service Reorganisation Act...
59 In section 15 of the National Health Service Reorganisation Act...

The Local Government Act 1974 c.7

- 60
61

The Trade Union and Labour Relations Act 1974 c.52

- 62

The Social Security Act 1975 c. 14

- 63
64

The House of Commons Disqualification Act 1975 c.24

- 65 In Part II of Schedule 1 to the House of...
66

The Child Benefit Act 1975 c.61

- 67
68—70
71

*The Health and Personal Social Services (Northern
Ireland) Order 1972 S.I. 1972/1265 (N.I. 14)*

- 72 In paragraph 7 of Schedule 11 to the Health and...

Schedule 16 — Repeals

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