

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Health Services Act 1980, Cross Heading: The National Health Service Act 1977. (See end of Document for details)

SCHEDULES

^{X1}SCHEDULE 1

AMENDMENTS CONSEQUENTIAL ON CHANGES IN THE LOCAL ADMINISTRATION OF THE HEALTH SERVICE

Editorial Information

- X1** The text of Schedule 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

AMENDMENTS RELATING TO DISTRICT HEALTH AUTHORITIES

The National Health Service Act 1977

- 28 Section 8 of the Act of 1977 shall be amended as follows—
- (a) for subsection (1) there shall be substituted the following subsections—
- “(1) It is the Secretary of State’s duty to establish by order in accordance with Part I of Schedule 5 to this Act—
- (a) authorities for such regions in England as he may by order determine; and
- (b) authorities for such areas or districts in Wales or those regions in England as he may by order determine,
- and orders determining regions, areas or districts in pursuance of this subsection shall be separate from orders establishing authorities for the regions, areas or districts.
- (1A) The authorities established by order under subsection (1) above shall be named as follows—
- (a) an authority established for a region shall be called a Regional Health Authority;
- (b) an authority established for an area shall, according as is provided in the order, be called an Area Health Authority with or without the word “Teaching”; and
- (c) an authority for a district shall, according as is provided in the order, be called either a District Health Authority with or without the word “Teaching” or by a special name indicating the authority’s connection with the district or a place in the district, with or without the word “Teaching”;

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but in the following provisions of this Act, except where the context otherwise requires, “Area Health Authority” and “District Health Authority” mean respectively the authority for an area and the authority for a district whether or not the name of the authority incorporates the word “Teaching” or, in the case of an authority for a district, the word “District”;

- (b) in subsection (2), after the word “area” (in both places) there shall be inserted the words “ or district ” and between the words “Area” and “Health Authority” the words “ or District ”; and
- (c) in subsection (3), after the words “areas” and “area” there shall be inserted the words “ or districts ” and “ or district ” respectively.

29 F1

Textual Amendments
F1 Sch. 1 para. 29 repealed by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\)](#), s. 30(1), [Sch. 10 Pt. I](#)

30 F2

Textual Amendments
F2 Sch. 1 para. 30 repealed by [Health and Social Security Act 1984 \(c. 48, SIF 113:1\)](#), s. 24, [Sch. 8 Pt. I](#)

31 In section 11(1) of the Act of 1977 between the words “Area” and “Health Authority” there shall be inserted the words “ or District ”.

32 In section 12(a) of the Act of 1977 the word “and” shall be omitted and after the words “Area Health Authorities” there shall be inserted the words “ and District Health Authorities ”.

33 In section 13(1) of the Act of 1977, after the word “Wales” there shall be inserted the words “ a District Health Authority of which the district is in Wales ”.

34 In section 14(1) and (2) of the Act of 1977 between the words “Area” and “Health Authority” (wherever occurring) there shall be inserted the words “ or District ” and in subsection (1) after the word “area” there shall be inserted the words “ or district ”.

35 F3

Textual Amendments
F3 Sch. 1 para. 35 repealed by [S.I. 1985/39](#), [art. 9\(a\)](#)

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- 36 Section 16 of the Act of 1977 shall be amended as follows—
 - (a) in subsection (1), between the words “Area” and “Health Authority” there shall be inserted the words “ or District ”; and
 - (b) in subsection (2), for the words “or Area” there shall be substituted the words “ Health Authority, an Area Health Authority, a District ” and after the words “same name” there shall be inserted the words “ an Area Health Authority and a District Health Authority are equivalent to each other ”.

37 F4

Textual Amendments
F4 Sch. 1 para. 37 repealed by [Health and Social Security Act 1984 \(c. 48, SIF 113:1\)](#), s. 24, [Sch. 8 Pt. I](#)

38 In section 18(3) of the Act of 1977 between the words “Area” and “Health Authority” there shall be inserted the words “ or District ”.

39 In section 19(3) of the Act of 1977 after the word “Authority” there shall be inserted the words “ or for the district of a District Health Authority ” and, in the paragraph beginning “A committee”, there shall be inserted, after the words “called the Area”, the words “ or the District ” and after the words “for the area” the words “ or district ”.

- 40 Section 20 of the Act of 1977 shall be amended as follows—
 - (a) in subsection (1), after the word “Authority” there shall be inserted the words “ and a council for the district of each District Health Authority ” and after the word “areas” there shall be inserted the words “ or districts ”;
 - (b) in subsection (2)(a), after the word “Authorities”, there shall be inserted the words “ or for a district which includes the districts or parts of the districts of two or more District Health Authorities ”; and
 - (c) in subsection (2)(b), after the word “Authority” there shall be inserted the words “ or of the district of a District Health Authority ”.

- 41 Section 22 of the Act of 1977 shall be amended as follows—
 - (a) in subsection (2), after the word “Authorities” there shall be inserted the words “ and District Health Authorities ” and, in the Table, in column 1, between the words “Area” and “Health Authority” (wherever occurring) there shall be inserted the words “ or District ” and, in column 2, after the word “area” there shall be inserted the words “ or district ”;
 - (b) in subsection (3) between the words “Area” and “Health Authority” (in both places) there shall be inserted the words “ or District ”; and
 - (c) in subsection (4)(b), between the words “Area” and “Health Authority” (in both places) there shall be inserted the words “ or District ” and after the words “the area” there shall be inserted the words “ or district ”.

42 F5

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Textual Amendments

F5 Sch. 1 para. 42 repealed by S.I. 1985/39, art. 9(b)

43 Section 30 of the Act of 1977 shall be amended as follows—

- (a) in subsection (1), . . . ^{F6}immediately before the words “be entitled” there shall be inserted the words “ subject to the provisions of this Part of this Act relating to the disqualification of practitioners ”; and
- (b) subsection (2) shall be omitted.

Textual Amendments

F6 Words repealed by S.I. 1985/39, art. 9(c)

44—49. ^{F7}

Textual Amendments

F7 Sch. 1 paras. 44–49, 51 repealed by S.I. 1985/39, art. 9(d)

50 In section 37(b) of the Act of 1977 between the words “Area” and “Health Authority” there shall be inserted the words “ or District ”.

51 ^{F8}

Textual Amendments

F8 Sch. 1 paras. 44–49, 51 repealed by S.I. 1985/39, art. 9(d)

52 In section 39 of the Act of 1977, in paragraph (b), after the words “the provisions of this” there shall be inserted the words “ Part of this ”, . . . ^{F9}

Textual Amendments

F9 Words expressed to be omitted by S.I. 1985/39, art. 9(e)

53 ^{F10}

Textual Amendments

F10 Sch. 1 para. 53 repealed by S.I. 1985/39, art. 9(f)

54 ^{F11}

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Textual Amendments

F11 Sch. 1 para. 54 repealed by S.I. 1985/39, art. 9(f) and by National Health Service (Amendment) Act 1986 (c. 66, SIF 113:2), s. 8(3)

55 F12

Textual Amendments

F12 Sch. 1 para. 55 repealed by S.I. 1985/39, art. 9(f)

56, 57. F13

Textual Amendments

F13 Sch. 1 paras. 56, 57 repealed by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, Sch. 8 Pt. I

58—61. F14

Textual Amendments

F14 Sch. 1 paras. 58–61 repealed by S.I. 1985/39, art. 9(f)

62 In section 65(1) of the Act of 1977, after the word “area”, there shall be inserted the words “ or district ”.

63 In section 66(1) of the Act of 1977, after the word “area”, there shall be inserted the words “ or district ”.

64 In section 83(a) and (b) of the Act of 1977 after the words “Area Health Authority” there shall be inserted the words “ a District Health Authority ”.

65 In section 85(1) of the Act of 1977 after paragraph (b), there shall be inserted the following paragraph—
“(bb) any District Health Authority;”

66 In section 88 of the Act of 1977, in subsection (1) for the words “so vests” there shall be substituted the words “ is so vested ” and in subsection (2) for the words “section 6 of the Act of 1946” there shall be substituted the words “ the exercise of the power hereby conferred ”.

67 In section 91(3)(b) of the Act of 1977, between the words “Area” and “Health” there shall be inserted the words “ or District ”.

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68 In section 95(1) of the Act of 1977 for the word “and” (where first occurring) there shall be substituted the word “ or ”.

69 Section 98 of the Act of 1977 shall be amended as follows—

(a) in subsection (1) after paragraph (b) there shall be inserted the following paragraph—

“(bb) every District Health Authority;”
F15

(b) F15

Textual Amendments
F15 Sch. 1 para. 69(b) and the word immediately preceding it repealed by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, Sch. 8 Pt. I

70 In section 99(1) of the Act of 1977 after paragraph (b), there shall be inserted the following paragraph—

“(bb) District Health Authorities;”.

71 In section 104(1)(a) of the Act of 1977, between the words “Area” and “Health Authorities”, there shall be inserted the words “ or District ”.

72 In section 109 of the Act of 1977 after paragraph (b) there shall be inserted the following paragraph—

“(bb) District Health Authorities;”.

73 In section 110 of the Act of 1977, after paragraph (a) there shall be inserted the following paragraph—

“(aa) A District Health Authority of which the district is in Wales;”

..... F16

Textual Amendments
F16 Words repealed by S.I. 1985/39, art. 9(g)

74 In section 119(1) of the Act of 1977, in paragraphs (d), (e) and (f), between the words “Area” and “Health Authority”, there shall be inserted the words “ or District ” and after the word “area” (in both places) there shall be inserted the words “ or district ”.

75 Section 124 of the Act of 1977 shall be amended as follows—

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- (a) in subsection (2), between the words “Area” and “Health Authority”, there shall be inserted the words “ or District ” and after the word “area” (in both places) there shall be inserted the words “ or district ”;
- (b) in subsection (4), between the words “Area” and “Health Authority”, there shall be inserted the words “ or District ” and after the words “the area” the words “ or district ”;
- (c) in subsection (5), between the words “Area” and “Health Authority” (in both places) there shall be inserted the words “ or District ” and after the words “their area” there shall be inserted the words “ or district ”; and
- (d) in subsection (6), between the words “Area” and “Health Authority” there shall be inserted the words “ or District ”.

76 In section 125 of the Act of 1977 after paragraph (b) there shall be inserted the following paragraph—

“(bb) a District Health Authority;”.

77 Section 128(1) of the Act of 1977 shall be amended as follows—

- (a) in the appropriate place in alphabetical order there shall be inserted the following definition— “ “Area Health Authority” and “District Health Authority” mean respectively the authority for an area and the authority for a district, whether or not the name of the authority incorporates the word “Teaching” or, in the case of an authority for a district, the word “District” ”;
- (b) ^{F17}
- (c) in the definition of “the health service”, after the words “in pursuance of”, there shall be inserted the words “ section 1 of the National Health Service Act 1946 and continued under ”;
- (d) in the definition of “health service hospital”, after the word “State”, there shall be inserted the words “ for the purposes of his functions ”; and
- (e) for the definition of “voluntary”, there shall be substituted the following definition— “ “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; ”.

Textual Amendments

F17 Sch. 1 para. 77(b) repealed by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, Sch. 8 Pt. I

78 (1) In Schedule 5 to the Act of 1977, the title of the Schedule shall be amended by substituting for the words “AND AREA” the words “ AREA AND DISTRICT ” and Part I shall be amended as provided in this paragraph.

(2) ^{F18}

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Textual Amendments

F18 Sch. 1 para. 78(2)–(6) repealed by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(2), **Sch. 10**

79 **F19**

Textual Amendments

F19 Sch. 1 para. 79 repealed by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, **Sch. 8 Pt. I** and expressed to be repealed by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 66(2), **Sch. 10**

80 (1) In Schedule 5 to the Act of 1977, Part III shall be amended as provided in this paragraph.

(2) In paragraph 8, after the words “Area Health Authority”, there shall be inserted the words “ District Health Authority ”.

(3) In paragraph 10(3)(b) and (d), between the words “Area” and “Health Authority” (wherever occurring) there shall be inserted the words “ or District ” and after the word “area” there shall be inserted the words “ or district ”.

81 (1) Schedule 6 to the Act of 1977 shall be amended as provided in this paragraph.

(2) In paragraph 1(1), for the words “area of an Area” there shall be substituted the words “ area or district of an Area or District ”.

(3) In paragraph 4, for the words “area of an Area” there shall be substituted the words “ area or district of an Area or District ”.

(4) At the end of paragraph 5 there shall be added the following sub-paragraph—
“(d) in relation to the district of a District Health Authority, that District Health Authority”.

82 (1) Schedule 7 to the Act of 1977 shall be amended as provided in this paragraph.

(2) **F20**

(4) In paragraph 7, in the definition of “district”, for the words after “Authority” there shall be substituted the words “ or the district or part of of the district of a District Health Authority or for such an area or district or part thereof together with the areas or parts of the areas of other Area Health Authorities or the districts or parts of districts of other District Health Authorities ”.

Textual Amendments

F20 Sch. 1 paras. 82(2)(3), 87–97 repealed by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, **Sch. 8 Pt. I**

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- 83 In Schedule 15 to the Act of 1977, in paragraph 46(c), for the words “(a)(xvii) add “(xviii)””, there shall be substituted the words “ (a)(xviii) add “(xix)”” and in paragraph 47(c), for the words “(b)(xviii) add “(xix)””, there shall be substituted the words “ (b)(xix) add “(xx)””.

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