



# Health And Social Services And Social Security Adjudications Act 1983

## 1983 CHAPTER 41

### PART I

#### COMMUNITY CARE

#### <sup>F1</sup> **Joint financing of community services in England and Wales.**

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#### **Textual Amendments**

**F1** S. 1 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

#### **2 Support to financing of community services in Scotland.**

The following section shall be substituted for section 16A of the <sup>M1</sup>National Health Service (Scotland) Act 1978—

#### **“16A Power to make payments towards expenditure on community services.**

(1) A Health Board may, if they think fit, make payments in accordance with this section to any regional, islands or district council towards expenditure incurred or to be incurred by them in connection with the performance of the following functions—

- (a) any function relating to a matter which, by virtue of section 2(2) of the Social Work (Scotland) Act 1968 or any other enactment (other than section 3 of the Disabled Persons (Employment) Act 1958), stands referred to the social work committee of a regional or islands council;

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**Changes to legislation:** *Health And Social Services And Social Security Adjudications Act 1983, Part I is up to date with all changes known to be in force on or before 04 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (b) any of a regional or islands council's functions under section 1 of the Education (Scotland) Act 1980 in making provision for—
    - (i) special educational needs;
    - (ii) further education,
 within the meaning of those terms in that section;
  - (c) any of a district or islands council's functions under Part VII of the Housing (Scotland) Act 1966 (provision of housing accommodation); and
  - (d) any of a regional or islands council's functions under the following provisions—
    - (i) Part III of the National Assistance Act 1948;
    - (ii) section 116 of the Mental Health Act 1983;
    - (iii) section 1 or 2 of the Chronically Sick and Disabled Persons Act 1970;
    - (iv) section 23 or 297 of the Criminal Procedure (Scotland) Act 1975.
- (2) A Health Board may, if they think fit, make payments in accordance with this section to any of the following bodies towards expenditure incurred or to be incurred by them in connection with the provision of housing accommodation—
- (a) any housing association, as defined in section 208(1) of the Housing (Scotland) Act 1966, which is registered by the Housing Corporation under section 13 of the Housing Act 1974;
  - (b) any development corporation established under section 2 of the New Towns (Scotland) Act 1968;
  - (c) the Housing Corporation; and
  - (d) the Scottish Special Housing Association.
- (3) Where a voluntary organisation provides services similar to the functions referred to in this section, payments may be made in accordance with this section to any such organisation towards expenditure incurred or to be incurred in connection with the provision of those services and such payments may be made by—
- (a) any Health Board either instead of or in addition to making payments under this section to any council, authority or other body in respect of such services; and
  - (b) any such council, authority or other body which has received payments from a Health Board under this section, out of the sums so received.
- (4) Any payments made under this section, whether in respect of expenditure of a capital or of a revenue nature, or of both, shall be made in accordance with conditions prescribed for payments of that description by the Secretary of State in directions given under this subsection.”

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**Marginal Citations**

**M1** 1978 c. 29.

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### 3 Financial assistance to voluntary organisations in Scotland.

Section 64 of the <sup>M2</sup>Health Services and Public Health Act 1968 (financial assistance to voluntary organisations) shall cease to have effect with regard to Scotland and the following section shall be inserted in the <sup>M3</sup>National Health Service (Scotland) Act 1978 after section 16A—

**“16B Financial assistance by the Secretary of State to voluntary organisations.**

- (1) The Secretary of State may, upon such terms and subject to such conditions as he may, with the approval of the Treasury, determine, give to a voluntary organisation to which this section applies assistance by way of grant or loan, or partly in the one way and partly in the other.
- (2) This section applies to a voluntary organisation whose activities consist in or include the provision of a service similar to a relevant service, the promotion or publicising of a relevant service or a similar one or the giving of advice with respect to the manner in which a relevant service or a similar one can best be provided.
- (3) In this section, “relevant service” means a service which must or may, by virtue of the National Health Service (Scotland) Act 1978, be provided or the provision of which must or may, by virtue of that Act, be secured by the Secretary of State, or a service for the provision of which a Health Board is, by virtue of that Act, under a duty to make arrangements.”.

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**Marginal Citations**

**M2** 1968 c. 46.

**M3** 1978 c. 29.

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/288 art. 2-6](#) commences (2003 c. 43)
- [S.I. 2004/480 art. 2-5](#) commences (2003 c. 43)
- [S.I. 2004/1009 art. 2](#) commences (2003 c. 43)
- [S.I. 2004/1019 art. 2](#) commences (2003 c. 43)
- [S.I. 2005/2897 art. 2](#) commences (2002 c. 38)
- [S.I. 2005/2925 art. 24-11](#) commences (2003 c. 43)
- [S.I. 2006/345 art. 2-7](#) commences (2003 c. 43)
- [S.I. 2009/3074 art. 23](#) commences (2008 c. 4)
- [S.I. 2011/849 art. 2](#) commences (2010 nawm 2)
- [S.S.I. 2009/267 art. 2](#) commences (2007 asp 4)