



Health and Medicines Act 1988

1988 CHAPTER 49

Staff

18 Transfer of staff from civil service to Health Service.

Where a person becomes an employee of a body constituted under [^{F1}the National Health Service Act 2006 or the National Health Service (Wales) Act 2006 (other than an NHS trust or an NHS foundation trust),] or the ^{M1}National Health Service (Scotland) Act 1978 ^{F2}... on direct transfer from employment in the civil service of the State, his period of employment in the civil service of the State at the time of the transfer shall count for the purposes of [^{F3}the Employment Rights Act 1996] as a period of employment by the body whose employee he becomes, and the transfer shall not break the continuity of the period of employment or give rise to any right to a redundancy payment.

Textual Amendments

- F1** Words in s. 18 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 1 para. 120](#) (with Sch. 3 Pt. 1)
- F2** Words in s. 18 repealed (27.9.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Enactments\) Order 2005](#) (S.S.I. 2005/465), art. 1, [Sch. 2](#)
- F3** Words in s. 18 substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, [Sch. 1 para. 40](#) (with ss. 191-195, 202)

Marginal Citations

- M1** 1978 c. 29.

19 Abolition of power of local authorities to charge for their staff's services to health authorities.

- (1) Section 28(4) of the National Health Service Act 1977 shall cease to have effect.
- (2) This section shall be deemed to have come into force on 26th November 1987.

Changes to legislation: Health and Medicines Act 1988, Cross Heading: Staff is up to date with all changes known to be in force on or before 18 October 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

- (3) No payment shall be made on a claim for payment of charges under section 28(4) of the National Health Service Act 1977 which is submitted on or after 26th November 1987 but the repeal of that subsection by this section does not have effect in relation to a case where such a claim is submitted before that date.

20 Instruction of staff in matters relating to health and welfare.

In section 63 of the ^{M2}Health Services and Public Health Act 1968—

- (a) in subsection (6)(a), after the word “section” there shall be inserted the words “and for ancillary administrative purposes,”; and
- (b) in subsection (8), in paragraph (a) of the definition of “the relevant enactments”, for the words “section 48 of the Education Act 1944, Part III of the National Assistance Act 1948, section 45 of this Act” there shall be substituted the words “, any enactment functions under which for the time being stand referred to committees established in pursuance of section 2 of the ^{M3}Local Authority Social Services Act 1970.”

Marginal Citations

M2 1968 c. 46.

M3 1970 c. 42.

Changes to legislation:

Health and Medicines Act 1988, Cross Heading: Staff is up to date with all changes known to be in force on or before 18 October 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.

[View outstanding changes](#)

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):

- Sch. 11 words repealed by [2005 asp 13 sch. 3](#)