

Status: Point in time view as at 29/11/2002.

Changes to legislation: National Health Service and Community Care Act 1990, Cross Heading: Specific powers is up to date with all changes known to be in force on or before 14 August 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)

SCHEDULES

SCHEDULE 2

NATIONAL HEALTH SERVICE TRUSTS

PART II

DUTIES, POWERS AND STATUS

Specific powers

- 10 In addition to carrying out its other functions, an NHS trust may, as the provider, enter into NHS contracts.
- [^{F1}(2) An NHS trust may not, as the provider, enter into an NHS contract for the provision of high security psychiatric services unless the NHS trust is approved for the purpose of this paragraph by the Secretary of State.
- (3) Such approval—
- (a) shall be for a period specified in the approval,
 - (b) may be given subject to conditions, and
 - (c) may be amended or revoked at any time.]

Textual Amendments

F1 Sch. 2 para. 10(2)(3) inserted (1.4.2000) by 1999 c. 8, s. 41(3); S.I. 1999/2793, art. 2(3)(a), Sch. 3

- 11 An NHS trust may undertake and commission research and make available staff and provide facilities for research by other persons.
- 12 An NHS trust may—
- (a) provide training for persons employed or likely to be employed by the trust or otherwise in the provision of services under the principal Act; and
 - (b) make facilities and staff available in connection with training by a university or any other body providing training in connection with the health service.
- 13 An NHS trust may enter into arrangements for the carrying out, on such terms as seem to the trust to be appropriate, of any of its functions jointly [^{F2}with any Primary Care Trust][^{F3}or Local Health Board,] with any [^{F4}Strategic Health

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Authority,]^{F5}Health Authority or Special Health Authority], with another NHS trust or with any other body or individual.

Textual Amendments

- F2** Words in Sch. 2 para. 13 inserted (4.1.2000 for E. and otherwise *prosp.*) by 1999 c. 8, ss. 65(1), 67(1), Sch. 4 paras. 74, **83(5)**; S.I. 1999/2342, art. 2(3)(a), **Sch. 2**
- F3** Words in Sch. 2 para. 13 inserted (10.10.2002 for W. and otherwise in force immediately before the National Health Service Act 2006 (c. 41) (which Act came into force on 1.3.2007 in accordance with s. 227(1) (subject to s. 277(2)-(5) of that Act))) by 2002 c. 17, s. 6(2), **Sch. 5 para. 36(1)(3)**; S.I. 2002/2532, art. 2, **Sch.**; S.I. 2006/1407, arts. 1(1), 2, **Sch. 1 Pt. 2** {para. 12(c)}
- F4** Words in Sch. 2 para. 13 inserted (1.10.2002) by 2002 c. 17, s. 1(3), **Sch. 1 Pt. 2 para. 46(a)**; S.I. 2002/2478, **art. 3(1)(c)** (with art. 3(3) and transitional provision in art. 4)
- F5** Words in Sch. 2 para. 13 substituted (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, s. 2(1) (3), **Sch. 1 Pt. II para. 85(e)** (with Sch. 2 paras. 6, 16)

- 14 According to the nature of its functions, an NHS trust may make accommodation or services or both available for patients who give undertakings (or for whom undertakings are given) to pay, in respect of the accommodation or services (or both) such charges as the trust may determine.

Modifications etc. (not altering text)

- C1** Sch 2 para. 14 extended (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 34, 199(1), **Sch. 4 para. 85(a)**; S.I. 2004/759, **art. 2**

- 15 For the purpose of making additional income available in order better to perform its functions, an NHS trust shall have the powers specified in section 7(2) of the ^{M1}Health and Medicines Act 1988 (extension of powers of Secretary of State for financing the Health Service).

Marginal Citations

- M1** 1988 c. 49.

- [^{F6}15A An NHS Trust may arrange for the provision of accommodation and services outside England and Wales.]

Textual Amendments

- F6** Sch. 2 para. 15A inserted (29.11.2002) by S.I. 2002/2759, **reg. 4**

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