



National Health Service and Community Care Act 1990

1990 CHAPTER 19

PART I

THE NATIONAL HEALTH SERVICE: ENGLAND AND WALES

Fund-holding practices

16 Renunciation and removal of recognition as a fund-holding practice and withholding of funds.

- (1) Regulations may make provision as to the circumstances in which the members of a recognised fund-holding practice may renounce that status and such regulations may, in particular, make provision as to—
 - (a) the notice to be given and the number of members of the practice by whom it is to be given;
 - (b) the procedure to be followed; and
 - (c) the consequences of such a renunciation.
- (2) Regulations may make provision as to the circumstances in which and the grounds on which ^{F1} . . . the Secretary of State may remove recognition from the members of a fund-holding practice,—
 - (a) with immediate effect; or
 - (b) with effect from the end of a particular financial year; or
 - (c) with effect from such other date as may be specified by ^{F2} . . . the Secretary of State.
- (3) Where provision is made as mentioned in subsection (2) above, regulations shall make provision with respect to—
 - (a) the procedure for the removal of recognition;
 - (b) ^{F3} . . . and

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation: National Health Service and Community Care Act 1990, Section 16 is up to date with all changes known to be in force on or before 09 April 2024. 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)

- (c) the consequences of the removal of recognition.
- (4) Without prejudice to the generality of the powers conferred by subsection (3) above, regulations making provision as mentioned in paragraph (c) of that subsection—
- (a) may provide for the transfer of rights and obligations from the members of the fund-holding practice to one or more [^{F4}Health Authorities] determined in accordance with the regulations;
 - (b) may provide for the recovery of sums from the members of the practice; and
 - (c) may require the members of the practice to furnish such information as may reasonably be required by ^{F5} . . . the Secretary of State.
- ^{F6}(5)
- (6) Where any part of an allotted sum has been applied by the members of a recognised fund-holding practice (or any one or more of them) for purposes other than those specified in regulations under section 15(7) above, regulations may make provision for and in connection with the recovery by the relevant [^{F7}Health Authority of an amount equal to that determined by the Secretary of State as having been so applied.].
- ^{F8}(7)

Textual Amendments

- F1** Words in s. 16(2) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(a)(i), **Sch. 3** (with Sch. 2 paras. 6, 16)
- F2** Words in s. 16(2) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(a)(ii), **Sch. 3** (with Sch. 2 paras. 6, 16)
- F3** Words in s. 16(3)(b) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(b), **Sch. 3** (with Sch. 2 paras. 6, 16)
- F4** Words in s. 16(4) 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. 75(c)(i)** (with Sch. 2 paras. 6, 16)
- F5** Words in s. 16(4) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(c)(ii), **Sch. 3** (with Sch. 2 paras. 6, 16)
- F6** S. 16(5) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(d), **Sch. 3** (with Sch. 2 paras. 6, 16)
- F7** Words in s. 16(6) 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. 75(e)** (with Sch. 2 paras. 6, 16)
- F8** S. 16(7) repealed (1.4.1996 subject to s. 8 of the amending Act) by 1995 c. 17, ss. 2(1)(3), 5, Sch. 1 Pt. II para. 75(f), **Sch. 3** (with Sch. 2 paras. 6, 16)

Commencement Information

- I1** S. 16 wholly in force at 1.4.1991 see s. 67(2) and S.I. 1990/1329, art. 2(8), **Sch. 3**.

Status:

Point in time view as at 01/04/1996. This version of this provision has been superseded.

Changes to legislation:

National Health Service and Community Care Act 1990, Section 16 is up to date with all changes known to be in force on or before 09 April 2024. 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.