



Health Act 1999

CHAPTER 8

HEALTH ACT 1999

PART I

THE NATIONAL HEALTH SERVICE

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- 17 Borrowing

Status: This is the original version (as it was originally enacted).

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- 30 Payments by local authorities to NHS bodies
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PART II

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49 Duties of NHS trusts

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50 Transfer of staff among health service bodies

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51 Duty of quality

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SCHEDULES

SCHEDULE 1 — Primary Care Trusts

Status: This is the original version (as it was originally enacted).

SCHEDULE 2 — The Commission for Health Improvement

Status

- 1 The Commission is not to be regarded as the servant...

General powers

- 2 (1) Subject to any directions given by the Secretary of...

General duty

- 3 It is the duty of the Commission to carry out...

Membership

- 4 The Commission is to consist of— (a) a chairman appointed...

Appointment, procedure etc

- 5 The Secretary of State may by regulations make provision as...

Remuneration and allowances

- 6 (1) The Commission may pay to its chairman, and to...

Employees

- 7 (1) There is to be a chief executive of the...

Delegation of functions

- 8 The Commission may arrange for the discharge of any of...

Assistance

- 9 (1) The Commission may arrange for such persons as it...

Payments and loans to Commission

- 10 (1) The Secretary of State may make payments out of...

Accounts

- 11 (1) The Commission must keep accounts in such form as...

Reports and other information

- 12 (1) As soon as possible after the end of each...

Application of seal and evidence

- 13 The application of the seal of the Commission must be...
14 A document purporting to be duly executed under the seal...

Miscellaneous amendments

- 15 In Schedule 1 to the Public Records Act 1958 (definition...
16 In the Schedule to the Public Bodies (Admission to Meetings)...

- 17 In the Parliamentary Commissioner Act 1967, in Schedule 2
(departments...
- 18 In the House of Commons Disqualification Act 1975, in Part...
- 19 In the Northern Ireland Assembly Disqualification Act 1975, the same...

SCHEDULE 3 — Regulation of health care and associated professions

Matters generally within the scope of the Orders

- 1 An Order may make provision, in relation to any profession,...

Manner of exercise of power

- 2 (1) The power to make an Order may be exercised...
- 3 The power may be exercised so as to make provision...
- 4 The power may be exercised so as to make provision...
- 5 The power may be exercised so as to—
- 6 The power may not be exercised so as to create...

Matters outside the scope of the Orders

- 7 (1) An Order may not abolish the regulatory body of...
- 8 (1) Where an enactment provides, in relation to any profession,...

Preliminary procedure for making Orders

- 9 (1) If it is proposed to lay a draft of...

Interpretation and application

- 10 In this Schedule— “Order” means an Order in Council under...
- 11 (1) The powers conferred by section 60 may be exercised...
- 12 (1) The powers conferred by section 60 extend to the...

SCHEDULE 4 — Amendments of enactments

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 1 In the Schedule to the Public Bodies (Admission to Meetings)...

National Health Service Act 1966 (c. 8)

- 2 Section 10 of the National Health Service Act 1966 (modification...

Health Services and Public Health Act 1968 (c. 46)

- 3 In section 63 of the Health Services and Public Health...

The 1977 Act

- 4 The 1977 Act is amended as follows.
- 5 In section 8 (Health Authorities)— (a) in subsection (2), for...
- 6 In section 11 (Special Health Authorities), for subsection (1) there...
- 7 In section 12 (supplementary provisions for sections 8 and 11),...
- 8 In section 15 (duty of Health Authority in relation to...
- 9 For section 16 (exercise of functions) there is substituted— Exercise...
- 10 After section 16B there is inserted— Advice for Health Authorities...

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- 11 In section 26 (supply of goods and services by Secretary...
- 12 (1) Section 27 (conditions of supply under section 26) is...
- 13 In section 28 (supply of goods and services by local...
- 14 (1) Section 28A (power to make payments towards expenditure on...
- 15 In section 28C(4) (personal medical or dental services), for “13”...
- 16 In section 28D (persons who may provide personal medical or...
- 17 In section 29A(3)(b) of the 1977 Act (medical lists), for...
- 18 In section 48 (disqualification provisions in Scotland or Northern
Ireland)—...
- 19 In section 49 (regulations as to sections 46 to 48)—...
- 20 In section 49A (application for interim suspension)—
- 21 In section 49B (continuation of suspension pending appeal)—
- 22 In section 49D (suspension provisions in Scotland or Northern
Ireland),...
- 23 In section 51 (university clinical teaching and research)—
- 24 Section 65(3) (accommodation and services for private patients:
directions) is...
- 25 In section 85 (default powers), after subsection (1)(b) there is...
- 26 In section 86 (emergency powers), in paragraph (b), the words...
- 27 In section 91 (private trusts for hospitals)—
- 28 In section 92 (further transfers of trust property)—
- 29 In section 96 (trusts: supplementary provisions), after “90 to 95...
- 30 (1) Section 96A (power of health authorities etc. to raise...
- 31 (1) Section 97 (public funding of Health Authorities and Special...
- 32 Section 97A(5) (duty to comply with directions) is omitted.
- 33 (1) Section 98 (accounts and audit) is amended as follows....
- 34 In section 99 (regulation of financial arrangements)—
- 35 In section 103 (special arrangements as to payment of remuneration),...
- 36 In section 122(2) (recovery of charges), “as a simple contract...
- 37 (1) Section 126 (orders, regulations and directions) is amended as...
- 38 (1) Section 128 (interpretation) is amended as follows.
- 39 (1) Schedule 5 (Health Authorities and Special Health Authorities) is...
- 40 In Schedule 7 (Community Health Councils), in paragraph 2
(regulations)—...
- 41 In Schedule 9 (NHS Tribunal), in paragraph 5A—

The 1978 Act

- 42 The 1978 Act is amended as follows.
- 43 In section 9 (local consultative committees)— (a) in subsection (5),...
- 44 In section 10(4) (Common Services Agency)— (a) after “Health
Boards”...
- 45 In section 12A(5) (NHS trusts)— (a) in paragraph (a), for...
- 46 In section 17A (NHS contracts)— (a) in subsection (2)—
- 47 In section 17E (personal medical and dental services: regulations),
subsection...
- 48 In section 19A(3)(b) (medical lists), for the words from first...
- 49 Section 31 (disqualification provisions in England and Wales or
Northern...
- 50 Section 32 (regulations as to sections 29 to 31) is...
- 51 In section 32A (applications for interim suspension)—
- 52 In section 32B (continuation of suspension pending appeal)—
- 53 In section 32D (suspension provisions in England and Wales or...

- 54 After section 35 there is inserted— Interpretation of Part II...
- 55 In section 85A (financial duties of certain bodies)—
- 56 In section 85B(2) (bodies in respect of which schemes for...
- 57 In section 86 (accounts of Health Boards and the Agency),...
- 58 Section 87D (indicative amounts for doctors' practices) is omitted.
- 59 In section 102 (state hospitals), for paragraph (b) of subsection...
- 60 In section 105(7) (orders, regulations and directions), for “incidental or...
- 61 In section 108(1) (interpretation)— (a) in the appropriate place there...
- 62 In Schedule 7A (NHS trusts)— (a) for any reference to...
- 63 (1) Schedule 7B (financial provisions relating to NHS trusts) is...
- 64 In Schedule 8 (the Tribunal), in paragraph 8—

Mental Health Act 1983 (c. 20)

- 65 The Mental Health Act 1983 is amended as follows.
- 66 In section 122(1) (provision of pocket money for in-patients in...
- 67 In section 123 (transfers to and from special hospitals)—
- 68 In section 134 (correspondence of patients)— (a) in subsection (1)(b),...
- 69 (1) Section 145 (interpretation) is amended as follows.

Mental Health (Scotland) Act 1984 (c. 36)

- 70 In section 125(1) (interpretation) of the Mental Health (Scotland) Act...

Hospital Complaints Procedure Act 1985 (c. 42)

- 71 In section 1 of the Hospital Complaints Procedure Act 1985...

Health Service Joint Consultative Committees (Access to Information) Act 1986 (c. 24)

- 72 The Health Service Joint Consultative Committees (Access to Information) Act...

Income and Corporation Taxes Act 1988 (c. 1)

- 73 In section 519A(2) of the Income and Corporation Taxes Act...

The 1990 Act

- 74 The 1990 Act is amended as follows.
- 75 In section 3(1)(a) (primary functions of Health Authorities and Special...
- 76 In section 4 (NHS contracts)— (a) in subsection (2)—
- 77 In section 6 (transfer of staff to NHS trusts)—
- 78 In section 7 (supplementary provisions as to transfer of staff),...
- 79 (1) Section 8 (transfer of property, rights and liabilities to...
- 80 Section 18 (indicative amounts for doctors' practices) is omitted.
- 81 (1) Section 21 (schemes for meeting losses and liabilities etc....
- 82 In section 61(3) (health service bodies: taxation), after “1991” there...
- 83 (1) Schedule 2 (NHS trusts) is amended as follows.
- 84 (1) Schedule 3 (financial provisions relating to NHS trusts) is...

Health Service Commissioners Act 1993 (c. 46)

- 85 (1) The Health Service Commissioners Act 1993 is amended as...

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Value Added Tax Act 1994 (c. 23)

86 In section 41(7) (application to Crown), after “1978” there is...

National Health Service (Residual Liabilities) Act 1996 (c. 15)

87 In section 1 of the National Health Service (Residual Liabilities)...

National Health Service (Primary Care) Act 1997 (c. 46)

88 (1) The National Health Service (Primary Care) Act 1997 is...

National Health Service (Private Finance) Act 1997 (c. 56)

89 Section 1 of the National Health Service (Private Finance) Act...

Audit Commission Act 1998 (c. 18)

90 In section 5 of the Audit Commission Act 1998 (general...

SCHEDULE 5 — Repeals