

These notes refer to the Health Act 1999 (c.8)

EXPLANATORY NOTES

HEALTH ACT 1999

INTRODUCTION

SUMMARY

THE ACT

OUTLINE OF THE EXISTING LAW

PART I SYSTEM: HOSPITAL AND COMMUNITY HEALTH SERVICES

PART II SYSTEM: FAMILY HEALTH SERVICES

The National Health Service and Community Care Act 1990

The National Health Service (Primary Care) Act 1997

Wales

Scotland

COMMENTARY ON SECTIONS

PART I - THE NATIONAL HEALTH SERVICE

Section 1: Repeal of law about fund-holding practices

Section 2 and Schedule 1: Primary Care Trusts

New Schedule 5A

Section 3: Primary Care Trusts: finance

Section 4: Expenditure of Health Authorities and Primary Care Trusts

Section 5: Primary Care Trusts: provision of services etc.

Section 6: Delegation of Health Authority functions relating to pilot schemes and section 28C arrangements

Section 7: Primary Care Trusts: trust-funds and trustees

Section 8: Payments relating to past performance

Section 9: Indemnity cover for Part II services

These notes refer to the Health Act 1999 (c.8)

Section 10: Remuneration for Part II services

Section 11: Local representative committees

Section 12: Directions

Section 13: Establishment orders

Section 14: Exercise of powers

Sections 15 to 17: Changes to the NHS trust financial regime

Section 18: Duty of Quality

Section 19 and Schedule 2: The Commission for Health Improvement

Schedule 2

Section 20: Functions of the Commission

Section 21: Arrangements with the Audit Commission

Section 22: Arrangements with Ministers

Section 23: Obtaining information etc.

Section 24: Restrictions on disclosure of information

Section 25: Dissolution of Clinical Standards Advisory Group

Sections 26 and 27: Co-operation between NHS bodies and local authorities

Section 28: Plans for improving health etc.

Sections 29 and 30 - Payments from NHS bodies to local authorities and from local authorities to NHS bodies

Section 31: Arrangements between NHS bodies and local authorities

Section 32: Joint consultative committees

Sections 33 to 38: Control of prices of medicines and profits

Section 39: Evasion of charges etc.

Section 40: Disqualification etc. of Part II practitioners

Section 41: High security psychiatric services

Section 42: Provision of information by Registrar General

Section 43: Health Service Commissioners

Section 44: Power to rectify transitional provisions etc.

PART II - THE NATIONAL HEALTH SERVICE: SCOTLAND

Section 45: Repeal of law about fund-holding practices

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Sections 46 to 49: NHS trusts

Section 50: Transfer of staff among health service bodies

Section 51: Quality of Care

Section 52: Expenditure of Health Boards and other bodies

Sections 53 to 55: NHS trust financial provisions

Section 56: Indemnity cover for Part II services

Section 57: Remuneration for Part II services

Section 58: Disqualification of practitioners for fraud etc.

Section 59: Recovery of charges and payments

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Section 60 and Schedule 3: Regulation of health care and associated professions

Schedule 3

Section 61: English and Scottish border provisions

Section 63: Supplementary and consequential provision etc.

Section 65 and Schedules 4 and 5: Amendments and repeals

Section 66: Devolution

COMMENCEMENT

DETAILS OF THE BILL'S PASSAGE THROUGH PARLIAMENT WERE AS FOLLOWS: