

## SCHEDULES

### SCHEDULE 1

Section 1(3)

#### ENGLISH HEALTH AUTHORITIES: CHANGE OF NAME

##### PART 1

##### AMENDMENTS OF 1977 ACT

- 1 The 1977 Act is amended as follows.
- 2 In section 12 (provision supplementary to sections 8 and 11), in subsection (2)(a),  
at the beginning there is inserted “Strategic Health Authorities and”.
- 3 In section 16 (exercise of functions)—
  - (a) in subsection (1), after “exercisable by” there is inserted “a Strategic Health  
Authority or”,
  - (b) in subsection (2)—
    - (i) before paragraph (a) there is inserted—  
“(za) by another Strategic Health Authority;”, and
    - (ii) in paragraph (c), after “Local Health Boards” (inserted by  
paragraph 5 of Schedule 5) there is inserted “, other Strategic  
Health Authorities”, and
  - (c) in subsection (4)(a), before “Health Authority” (in both places) there is  
inserted “Strategic Health Authority or”.
- 4 In section 16B (exercise of functions by Primary Care Trusts)—
  - (a) in subsection (2)(c), after “following:” there is inserted “Strategic Health  
Authorities;”, and
  - (b) in subsection (3)(c), after “one or more” there is inserted “Strategic Health  
Authorities;”.
- 5 In section 16C (advice for Health Authorities and Primary Care Trusts)—
  - (a) in subsection (1), after “Every” there is inserted “Strategic Health Authority  
and every”, and
  - (b) in subsection (2), before “Health Authorities” there is inserted “Strategic  
Health Authorities and”.
- 6 In section 16D (Secretary of State’s directions: distribution of functions)—
  - (a) in subsection (1), after “direct a” there is inserted “Strategic Health  
Authority;”, and
  - (b) in subsection (2), after “of a” there is inserted “Strategic Health Authority  
or”.
- 7 In section 17 (Secretary of State’s directions: exercise of functions), in  
subsection (2), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities;”.

- 8 In section 17B (Health Authority's directions: exercise of functions), in subsection (1), for "Health Authority" there is substituted "Strategic Health Authority".
- 9 In section 18 (directions and regulations under preceding provisions), in subsection (1B), for "Health Authority" there is substituted "Strategic Health Authority".
- 10 In section 22 (co-operation between Health Authorities and local authorities), in subsection (1A), before paragraph (a) there is inserted—  
 "(za) a Strategic Health Authority,".
- 11 In section 23 (voluntary organisations and other bodies), in subsection (2), after "or by a" there is inserted "Strategic Health Authority,".
- 12 In section 26 (supply of goods and services by the Secretary of State)—  
 (a) in subsection (1)(b), after "State or by a" there is inserted "Strategic Health Authority,",  
 (b) in subsection (3), in each of paragraphs (b) and (c), after "or a" there is inserted "Strategic Health Authority," and  
 (c) in subsection (4)(b), after "providing" there is inserted "Strategic Health Authorities,".
- 13 In section 27 (conditions of supply under section 26)—  
 (a) in subsection (1)—  
 (i) after "officer of a" there is inserted "Strategic Health Authority," and  
 (ii) after "that the" there is inserted "Strategic Health Authority," and  
 (b) in subsection (3), after "directions to" there is inserted "Strategic Health Authorities,".
- 14 In section 28 (supply of goods and services by local authorities)—  
 (a) in subsection (1), after "any" there is inserted "Strategic Health Authority," and  
 (b) in subsection (3)—  
 (i) after "available to" there is inserted "Strategic Health Authorities," and  
 (ii) after "to enable" there is inserted "Strategic Health Authorities,".
- 15 In section 28A (power to make payments towards expenditure on community services), in subsection (2B), after "by a" there is inserted "Strategic Health Authority,".
- 16 In section 28BB (power of local authorities to make payments to NHS bodies), in subsection (2), after "means a" there is inserted "Strategic Health Authority or".
- 17 In section 37 (Dental Practice Board), in subsection (1)(b), for "Health Authority" there is substituted "Strategic Health Authority".
- 18 In section 49S (the Family Health Services Appeal Authority), in subsection (8)(b), after "by a" there is inserted "Strategic Health Authority,".
- 19 In section 51 (university clinical teaching and research)—  
 (a) in subsection (2)—  
 (i) after "by a" there is inserted "Strategic Health Authority," and  
 (ii) after "by the" there is inserted "Strategic Health Authority," and

- (b) in subsection (3), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities;”.
- 20 In section 65 (accommodation and services for private patients), before “Health Authority or”, in each place where it occurs, there is inserted “Strategic Health Authority”.
- 21 In section 84A (intervention orders), in subsection (2), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities;”.
- 22 In section 84B (intervention orders: effect)—  
(a) in subsection (1), in each of paragraphs (a) and (b), after “of a” there is inserted “Strategic Health Authority,”, and  
(b) in subsection (6), before “a Health Authority” there is inserted “a Strategic Health Authority or”.
- 23 In section 85 (default powers), in subsection (1), before paragraph (a) there is inserted—  
“(za) a Strategic Health Authority;”.
- 24 In section 90 (gifts on trust), after “A” there is inserted “Strategic Health Authority”.
- 25 In section 91 (private trusts for hospitals), in subsection (3)(d), after “case, the” there is inserted “Strategic Health Authority”.
- 26 In section 92 (further transfers of trust property)—  
(a) in subsection (1), after “functions of any” there is inserted “Strategic Health Authority,”, and  
(b) in subsection (1A), before paragraph (a) there is inserted—  
“(za) a Strategic Health Authority;”.
- 27 In section 96 (trusts: supplementary provisions), in subsection (1A)(a), after “or a” there is inserted “Strategic Health Authority”.
- 28 In section 96A (power of health authorities, etc to raise money)—  
(a) in subsection (1), before “Health Authority,” in both places, there is inserted “Strategic Health Authority,”,  
(b) in subsection (3), after “benefit of the” there is inserted “Strategic Health Authority,”,  
(c) in subsection (4), before “Health Authority,” there is inserted “Strategic Health Authority,”,  
(d) in subsection (5)(b), before “Health Authority” there is inserted “Strategic Health Authority,”, and  
(e) in each of subsections (7), (8) and (9), before “Health Authority,” in each place where it occurs, there is inserted “Strategic Health Authority”.
- 29 In section 98 (accounts and audit)—  
(a) in subsection (1), before paragraph (a) there is inserted—  
“(za) every Strategic Health Authority;”, and  
(b) in subsection (2AA), for “Health Authority” there is substituted “Strategic Health Authority”.

- 30 In section 99 (regulation of financial arrangements), in subsection (1), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities,”.
- 31 In section 125 (protection of members and officers of authorities), before paragraph (a) there is inserted—  
“(za) a Strategic Health Authority,”.
- 32 In section 126 (orders and regulations, and directions), in subsection (3A), after “or by a” there is inserted “Strategic Health Authority or”.
- 33 In section 128 (interpretation and construction), in subsection (1A), before “Health Authority,” in both places, there is inserted “Strategic Health Authority,”.
- 34 (1) Schedule 5 (which relates to the constitution of Health Authorities and Special Health Authorities) is amended as provided in this paragraph.
- (2) In Part 1 (membership of Health Authorities)—
- (a) for “Health Authority”, in each place where it occurs, there is substituted “Strategic Health Authority”,
  - (b) in paragraph 4, for “Health Authorities” there is substituted “Strategic Health Authorities”,
  - (c) after paragraph 4 there is inserted—  
“4A Paragraphs 1 to 4 above apply in relation to Health Authorities as they apply in relation to Strategic Health Authorities.”, and
  - (d) in the heading, for “Membership of Health Authorities” there is substituted “Membership of Strategic Health Authorities and Health Authorities”.
- (3) In Part 3 (supplementary provisions)—
- (a) in paragraph 8, after “Each” there is inserted “Strategic Health Authority, each”, and
  - (b) in paragraph 9, in sub-paragraph (7)(a), before “Health Authority” there is inserted “Strategic Health Authority or”.
- 35 (1) Schedule 5A (which relates to Primary Care Trusts) is amended as provided in this paragraph.
- (2) In Part 2 (Constitution and Membership), in paragraph 10, after “in relation to” there is inserted “Strategic Health Authorities,”.
- (3) In Part 3 (Powers and duties), in paragraph 20, for “Health Authority” there is substituted “Strategic Health Authority”.
- (4) In Part 4 (Transfer of property), in paragraph 21, for “Health Authority” (in each place where it occurs) there is substituted “Strategic Health Authority”.
- (5) In Part 5 (Transfer of staff), in paragraph 23(2), for paragraph (a) there is substituted—  
“(a) a Strategic Health Authority,”.

## PART 2

### AMENDMENTS OF OTHER ACTS

#### *The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

- 36 In Part 1 of Schedule 2 to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (which makes provision about payments to make up civil remuneration), in paragraph 15—
- (a) in the entry in the first column, before “a Health Authority” there is inserted “a Strategic Health Authority,” and
  - (b) in the entry in the second column, before “Health Authority” there is inserted “Strategic Health Authority,”.

#### *The Hospital Complaints Procedure Act 1985 (c. 42)*

- 37 In section 1 of the Hospital Complaints Procedure Act 1985 (hospital complaints procedure), in subsection (1)—
- (a) for “Health Authority and” there is substituted “Strategic Health Authority and Health Authority, to each”, and
  - (b) after “which that” there is inserted “Strategic Health Authority,”.

#### *The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)*

- 38 (1) The Disabled Persons (Services, Consultation and Representation) Act 1986 is amended as provided in this paragraph.
- (2) In section 7 (persons discharged from hospital), in subsection (9), in paragraph (a) of the definition of “the managers”, after “means the” there is inserted “Strategic Health Authority,”.
- (3) In section 16 (interpretation), after the definition of “statutory services” there is inserted—
- ““Strategic Health Authority” means a Strategic Health Authority established under section 8 of the 1977 Act;”.

#### *The National Health Service and Community Care Act 1990 (c. 19)*

- 39 The National Health Service and Community Care Act 1990 is amended as follows.
- 40 In section 4 (NHS contracts), in subsection (2), before paragraph (a) there is inserted—
- “(za) a Strategic Health Authority;”.
- 41 In section 4A (provision of certain services by persons on ophthalmic or pharmaceutical lists), in subsection (1), after “under which” there is inserted “a Strategic Health Authority,”.
- 42 In section 8 (transfer of property, rights and liabilities to NHS trusts), before “Health Authority”, in each place where it occurs, there is inserted “Strategic Health Authority,”.
- 43 In section 21 (schemes for meeting losses and liabilities of certain health service bodies)—

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

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- (a) in subsection (2), before paragraph (a) there is inserted—  
“(za) Strategic Health Authorities;”, and
  - (b) in each of subsections (3), (4) and (5), before “Health Authority” there is inserted “Strategic Health Authority;”.
- 44 In section 49 (transfer of staff from health service to local authorities), in subsection (4)(b), after “means a” there is inserted “Strategic Health Authority;”.
- 45 In section 60 (removal of Crown immunities), in subsection (7)(a), at the beginning there is inserted “a Strategic Health Authority or”.
- 46 In Schedule 2 (which makes provision about NHS trusts)—
- (a) in each of paragraphs 4(1), 4(2), 5(3), 13, 30(2) and 31, before “Health Authority” there is inserted “Strategic Health Authority;”, and
  - (b) in paragraph 30(1), after paragraph (a) there is inserted—  
“(aa) a Strategic Health Authority, or”.

*The Health Service Commissioners Act 1993 (c. 46)*

- 47 In section 2 of the Health Service Commissioners Act 1993 (bodies subject to investigation), in subsection (1), for paragraph (a) there is substituted—  
“(a) Strategic Health Authorities;”.

*The 1999 Act*

- 48 The 1999 Act is amended as follows.
- 49 In section 20 (functions of the Commission for Health Improvement)—
- (a) in subsection (1)(c), before “Health Authorities” there is inserted “Strategic Health Authorities;”, and
  - (b) in subsection (7), in the definition of “NHS body”, after “means a” there is inserted “Strategic Health Authority;”.
- 50 In section 21 (arrangements with the Audit Commission), in subsection (1)(b)(iii), after “relate to” there is inserted “Strategic Health Authorities;”.
- 51 In section 26 (co-operation between NHS bodies), after “duty of” there is inserted “Strategic Health Authorities;”.
- 52 In section 28 (plans for improving health etc)—
- (a) in subsection (6)—
    - (i) in paragraphs (b) and (g), before “Health Authorities” there is inserted “Strategic Health Authorities;”, and
    - (ii) in paragraph (h), after “provision by” there is inserted “Strategic Health Authorities;”, and
  - (b) in subsection (9), after “duty of” there is inserted “Strategic Health Authorities;”.
- 53 In section 31 (arrangements between NHS bodies and local authorities), in subsection (8), in the definition of “NHS body”, after “means a” there is inserted “Strategic Health Authority;”.
- 54 In section 61 (English and Scottish border provisions), in subsection (2), for “Health Authority” there is substituted “Strategic Health Authority”.

*The Health and Social Care Act 2001 (c. 15)*

- 55     (1) The Health and Social Care Act 2001 is amended as provided in this paragraph.
- (2) In section 7 (functions of overview and scrutiny committees), in subsection (4), after “means a” there is inserted “Strategic Health Authority,”.
- (3) In section 46 (directed partnership arrangements), in subsection (5), in the definition of “NHS body”, after “means a” there is inserted “Strategic Health Authority,”.