



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 1

#### THE HEALTH SERVICE IN ENGLAND

##### *Further provision about local authorities' role in the health service*

#### **31 Exercise of public health functions of local authorities**

In Part 3 of the National Health Service Act 2006 after section 73A insert—

##### **“73B Exercise of public health functions of local authorities: further provision**

- (1) A local authority must, in the exercise of any functions mentioned in subsection (2), have regard to any document published by the Secretary of State for the purposes of this section.
- (2) The functions mentioned in this subsection are—
  - (a) the exercise by the authority of its functions under section 2B, 111 or 249 or Schedule 1,
  - (b) the exercise by the authority of its functions by virtue of section 6C(1) or (3),
  - (c) anything done by the authority in pursuance of arrangements under section 7A,
  - (d) the functions of the authority under section 325 of the Criminal Justice Act 2003, and
  - (e) such other functions relating to public health as may be prescribed.
- (3) The Secretary of State may give guidance to local authorities as to the exercise of any functions mentioned in subsection (2).
- (4) A document published under subsection (1), and guidance given under subsection (3), may include guidance as to the appointment of officers of the

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*Status: This is the original version (as it was originally enacted).*

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local authority to discharge any functions mentioned in subsection (2), and as to their terms and conditions, management and dismissal.

- (5) The director of public health for a local authority must prepare an annual report on the health of the people in the area of the local authority.
- (6) The local authority must publish the report.
- (7) In this section, “local authority” has the same meaning as in section 2B.”