
STATUTORY INSTRUMENTS

1991 No. 195

The Health and Personal Social Services(Northern Ireland Consequential Amendments)Order 1991

Amendment of the National Health Service (Scotland) Act 1978

4.—(1) The National Health Service (Scotland) Act 1978(1) shall have effect subject to the following provisions of this Article.

(2) In section 17A(1)(b) for “paragraphs (f) to (m)” there shall be substituted “paragraphs (f) to (q)”.

(3) In section 17A(2) the word “and” at the end of paragraph (1) is hereby repealed and after paragraph (m) there shall be added the following paragraphs—

- “(n) the Northern Ireland Central Services Agency for the Health and Social Services established under the Health and Personal Social Services (Northern Ireland) Order 1972(2);
- (o) special health and social services agencies established under the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990(3);
- (p) Health and Social Services trusts established under the Health and Personal Social Services (Northern Ireland) Order 1991; and
- (q) the Department of Health and Social Services for Northern Ireland.”.

(4) In section 17A after subsection (9) there shall be added the following subsection—

“(10) Where a body mentioned in subsection (2)(1), (n), (o), (p) or (q) is a party or prospective party to an arrangement or proposed arrangement which—

- (a) falls within subsection (1); and
- (b) also falls within the definition of HSS contract in Article 8 of the Health and Personal Social Services (Northern Ireland) Order 1991,

subsections (4) to (9) shall apply in relation to that arrangement or proposed arrangement with the substitution for references to the Secretary of State of references to the Secretary of State and the Department of Health and Social Services for Northern Ireland acting jointly.”.

(5) In section 17B(4) at the end there shall be added “and the reference to a function of a Health and Social Services Board is a reference to a primary function of such a Board within the meaning of Article 9 of the Health and Personal Social Services (Northern Ireland) Order 1991”.

(6) In Schedule 7A in paragraph 22(1) at the end of paragraph (c) there shall be added “or is within the primary functions of a Health and Social Services Board within the meaning of Article 9 and Health and Personal Social Services (Northern Ireland) Order 1991” and after “or Authority” there shall be inserted “or Health and Social Services Board”.

(1) 1978 c. 29; sections 17A and 17B were inserted by section 30 of the National Health Service and Community Care Act 1990 (c. 19); Schedule 7A was inserted by section 32 of that Act.
(2) S.I.1972/1265 (N.I. 14).
(3) S.I. 1990/247 (N.I. 3).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
