



Health Services and Public Health Act 1968

1968 CHAPTER 46

PART I

AMENDMENTS CONNECTED WITH THE NATIONAL HEALTH SERVICE

Finance, &c

- 27 Approval of expenditure of Hospital Management Committees, Boards of Management and Medical Education Committees by Regional Hospital Boards instead of by the Minister**
- (1) For the condition specified in subsection (2) of section 54 of the 1946 Act on satisfaction of which expenditure of a Hospital Management Committee is to be defrayed by the Regional Hospital Board for the area in which the hospital or group of hospitals in question is situated, namely, that the expenditure must be expenditure approved by the Minister in manner prescribed by regulations made by the Minister under the 1946 Act, there shall be substituted the condition that the expenditure must be approved, in such manner, by that Board; and, accordingly, for the said subsection (2) there shall be substituted the following subsection:—
- “(2) All expenditure of a Hospital Management Committee approved, in the prescribed manner, by the Regional Hospital Board for the area in which the hospital or group of hospitals in question is situated shall be defrayed by that Board”.
- (2) For the condition specified in subsection (2) of section 54 of the 1947 Act on satisfaction of which expenditure of a Board of Management of a hospital or group of hospitals situated in any area, or of the Medical Education Committee for any area, is to be defrayed by the Regional Hospital Board for that area, namely that the expenditure must be approved by the Minister in the manner prescribed by regulations made by the Minister under the 1947 Act, there shall be substituted the condition that the expenditure must be approved, in such manner, by that Regional Hospital Board;

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and, accordingly, for the said subsection (2) there shall be substituted the following subsection:—

“(2) All expenditure of the Board of Management of a hospital or group of hospitals situated in any area, or of the Medical Education Committee for any area, approved in the prescribed manner by the Regional Hospital Board for that area shall be defrayed by that Regional Hospital Board”.

28 Accounts of Regional Hospital Boards and other bodies

- (1) Subsections (2) and (3) of section 55 of the 1946 Act (which relate to the accounts of Regional Hospital Boards, Boards of Governors of teaching hospitals, Hospital Management Committees and Executive Councils) shall have effect in relation to the Dental Estimates Board as they have effect in relation to a Regional Hospital Board, and the Minister shall prepare in respect of each financial year, in such form and containing such information as the Treasury may direct, a statement of the accounts of the Dental Estimates Board, and shall transmit it on or before the 30th day of November in each year to the Comptroller and Auditor-General who shall examine and certify it and lay copies of it together with his report thereon before both Houses of Parliament.
- (2) The Minister may by regulations make provision generally with respect to the audit under the said subsection (2) of accounts of bodies to which that subsection applies, and in particular for conferring on the auditor of any of those accounts, such rights of access to, and production of, books, accounts, vouchers or other documents as may be specified in the regulations, and such right, in such conditions as may be so specified, to require from any member or officer, or former member or officer, of any such body, such information relating to the affairs of the body as the Minister may think necessary for the proper performance of the duty of the auditor under that section.
- (3) The form of accounts to be kept by any such body under the said section 55(2) and of the annual accounts to be prepared and transmitted to the Minister under the said section 55(3) shall, instead of being such as the Minister may with the approval of the Treasury prescribe, be such as he may, with such approval, direct; and accordingly in the said sections 55(2) and 55(3), for the word " prescribe " in each place where it occurs, there shall be substituted the word " direct ".
- (4) This section shall have effect in Scotland as if, for subsection (1) thereof, there were substituted the following subsection: —

“(1) Subsections (2) and (3) of section 55 of the 1947 Act (which relate to the accounts of Regional Hospital Boards, Boards of Management and Executive Councils) shall have effect in relation to the Scottish Dental Estimates Board as they have effect in relation to any such Regional Hospital Board, Board of Management or Council; and the Minister shall prepare in respect of each financial year, in such form and containing such information as the Treasury may direct, a statement of the accounts of the Scottish Dental Estimates Board, and shall transmit it on or before the 30th day of November in each year to the Comptroller and Auditor-General who shall examine and certify it and lay copies of it together with his report thereon before both Houses of Parliament”.

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29 Regulation of financial arrangements of hospital authorities and other bodies

- (1) The Minister may by regulations provide, in the case of all or any of the following bodies that is to say, Regional Hospital Boards, Boards of Governors of teaching hospitals, Hospital Management Committees, Executive Councils, joint committees established for the areas of two or more such Councils under section 31(4) of the 1946 Act, and the Dental Estimates Board, for restricting the making of payments by or on behalf of the body otherwise than on such authorisation and subject to such conditions as may be specified in the regulations, but such provision may be made subject to such exceptions as may be so specified; and those regulations may contain such other provisions as to the making and carrying out by all or any of those bodies of such arrangements with respect to financial matters as the Minister thinks necessary for the purpose of securing that the affairs of such bodies are conducted, so far as reasonably practicable, in such manner as to prevent financial loss and to ensure and maintain efficiency.
- (2) Without prejudice to the operation of the provisions of any such regulations, the Minister may give to any of the said bodies such directions (which may be specific in character) as to any matter with respect to which regulations may be made under the foregoing subsection as it appears to him is requisite for the purpose of securing that the affairs of the body are conducted, so far as reasonably practicable, in such manner as is mentioned in the foregoing subsection, and a body to whom any such directions are given shall comply therewith.
- (3) This section shall have effect in Scotland as if—
 - (a) any reference to Boards of Governors of teaching hospitals were omitted;
 - (b) for any reference to a Hospital Management Committee there were substituted a reference to a Board of Management;
 - (c) for any reference to the Dental Estimates Board there were substituted a reference to the Scottish Dental Estimates Board;
 - (d) for any reference to section 31(4) of the 1946 Act there were substituted a reference to section 32(4) of the 1947 Act.