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STATUTORY INSTRUMENTS

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**1991 No. 389**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Disablement Services Authority  
(Consequential Provisions) Order 1991**

<i>Made</i>	- - - -	<i>1st March 1991</i>
<i>Laid before Parliament</i>		<i>7th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for Health, in exercise of powers conferred by sections 11 and 126(4) of the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Order:—

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Disablement Services Authority (Consequential Provisions) Order 1991 and shall come into force on 1st April 1991.

(2) In this Order “the Authority” means the Disablement Services Authority(2).

**Enforceability of rights**

2. Any right which was enforceable immediately before 1st April 1991 by or against the Authority shall be enforceable by or against the Secretary of State.

**Investigation of complaints by Health Service Commissioner**

3.—(1) A complaint under Part V of the National Health Service Act 1977 to the Health Service Commissioner for England in relation to the Authority(3) made before, on or after 1st April 1991 may be investigated by the Commissioner notwithstanding that the Authority has ceased to exist, as if the Secretary of State were a relevant body within the meaning of section 109 of the National Health Service Act 1977 and as if the complaint had been made in relation to the Secretary of State.

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(1) 1977 c. 49; section 11 was amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraph 31.

(2) See S.I. 1987/808.

(3) See S.I. 1987/1272 which designates the Authority as subject to investigation by the Health Service Commissioner.

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(2) The Health Service Commissioner for England, where he conducts such an investigation, shall send a report of the result of his investigation to the Secretary of State.

Signed by authority of the Secretary of State for Health.

1st March 1991

*Stephen Dorrell*  
Parliamentary Under-Secretary of State,  
Department of Health

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provisions consequential on the termination of the Disablement Services Authority, a special health authority established under the National Health Service Act 1977. The Order transfers the Authority's rights and liabilities to the Secretary of State. It also provides that the Health Service Commissioner may investigate complaints against the Authority as though such had been made in relation to the Secretary of State.