
STATUTORY INSTRUMENTS

1991 No. 194 (N.I. 1)

NORTHERN IRELAND

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

*Made - - - - 5th February 1991
Coming into operation in accordance with Article
1(2) and (3)*

**THE HEALTH AND PERSONAL SOCIAL
SERVICES(NORTHERN IRELAND) ORDER 1991**

Introductory

1. Title and commencement
2. Interpretation

Health and social services bodies

3. Constitution of Health and Social Services Boards
4. Health and Social Services Councils
5. Local representative committees
6. Abolition of Northern Ireland Health and Social Services Training Council
7. Removal of Crown immunities

Provision of goods and services

8. Health and social services contracts
9. Primary and other functions of Health and Social Services Boards and special agencies

Health and Social Services trusts

10. Health and Social Services trusts
11. Transfer of staff to HSS trusts
12. Supplementary provisions as to transfer of staff

Status: This is the original version (as it was originally made).

13. Transfer of assets and liabilities to HSS trusts
14. Originating capital debt of, and other financial provisions relating to, HSS trusts
15. Financial obligations of HSS trusts
16. Trust funds and trustees for HSS trusts

Fund-holding practices

17. Recognition of fund-holding practices of doctors
18. Payments to recognised fund-holding practices
19. Renunciation and removal of recognition as a fund-holding practice
20. Transfer of functions relating to recognised fund-holding practices

Indicative amounts

21. Indicative amounts for doctors' practices

Financial provisions

22. Accounts and audit
23. Power of Boards, special agencies and HSS trusts to raise funds by appeals, collections, etc.
24. Schemes for meeting losses and liabilities, etc., of certain health and social services bodies

Provision of accommodation

25. Arrangements by Department for provision of accommodation by voluntary organisations, etc.
26. Exclusion of powers to provide accommodation in certain cases
27. Charges in respect of accommodation provided by the Department
28. Recovery of charges due to Department for accommodation

General health services

29. General medical services
30. Limitations on right to be included on list of dental practitioners providing general dental services
31. Pharmaceutical services

Miscellaneous and general

32. Director of Public Health
33. Regulations, orders and directions
34. Minor and consequential amendments
35. Repeals
Signature

SCHEDULES

SCHEDULE 1 — HEALTH AND SOCIAL SERVICES COUNCILS

1. It is the duty of a Health and Social Services...
2. Regulations may make provision as to— (a) the membership of...
3. Regulations made under paragraph 2(a) shall provide for the members...
4. Nothing in paragraph 3 affects the validity of anything done...
5. References in this Schedule to the area of a Council...

SCHEDULE 2 — PROVISIONS ARISING OUT OF REMOVAL OF CROWN IMMUNITIES FROM HEALTH AND SOCIAL SERVICES BODIES

PART I — AMENDMENTS CONTINUING CERTAIN STATUTORY EXEMPTIONS

1. The Employers' Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (NI 6)
2. The Road Traffic (Northern Ireland) Order 1981 (NI 1)
3. The Copyright, Designs and Patents Act 1988 (c. 48)

PART II — TRANSITIONAL PROVISIONS

4. In this Part— “the appointed day” means the day appointed...
5. The Medicines Act 1968 (c. 67)
6. The Planning (Northern Ireland) Order 1972 (NI 17)
7. The Rent (Northern Ireland) Order 1978 (NI 20)
8. The Building Regulations (Northern Ireland) Order 1979 (NI 16)
9. The Fire Services (Northern Ireland) Order 1984 (NI 11)

SCHEDULE 3 —

PART I — ORDERS UNDER ARTICLE 10(1)

1. Any reference in this Part to an order is a...
2. The provisions made by an order shall be in conformity...
3. (1) Without prejudice to any amendment made by a subsequent...
4. (1) An order may require a relevant body to make...
5. (1) An order may provide for the establishment of an...

PART II — DUTIES, POWERS AND STATUS

6. Specific duties
7. (1) For each financial year an HSS trust shall prepare...
8. An HSS trust shall furnish to the Department such reports,...
9. (1) An HSS trust shall be liable to pay—
10. Specific powers
11. An HSS trust may undertake and commission research and make...
12. An HSS trust may— (a) provide training for persons employed...
13. An HSS trust may enter into arrangements for the carrying...
14. According to the nature of its functions, an HSS trust...
15. For the purpose of making additional income available in order...
16. General powers
17. (1) Without prejudice to the generality of paragraph 16, to...
18. Status

PART III — SUPPLEMENTARY PROVISIONS

19. Re-imburement for health and personal social services work carried out otherwise than under HSS contract
20. In any case where an HSS trust provides goods or...
21. Compulsory acquisition

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

22. Instruments, etc.
PART IV — DISSOLUTION
23. (1) The Department may by order dissolve an HSS trust....
24. (1) If an HSS trust is dissolved under this Part,...
25. Without prejudice to the generality of paragraph 24, if an...
26. An HSS trust may not be dissolved or wound up...

SCHEDULE 4 — FINANCIAL PROVISIONS RELATING TO HSS TRUSTS

1. Borrowing
2. Guarantees of borrowing
3. Limits on indebtedness
4. Additional public dividend capital
5. Surplus funds
6. Investment

SCHEDULE 5 — MINOR AND CONSEQUENTIAL AMENDMENTS

PART I — AMENDMENTS COMING INTO OPERATION ON 1ST APRIL 1991

The Parliamentary Commissioner Act (Northern Ireland) 1969 (c. 10)
The Nursing Homes and Nursing Agencies Act(Northern Ireland) 1971 (c. 32)
The Health and Personal Social Services(Northern Ireland) Order 1972 (NI 14)
The Northern Ireland Assembly Disqualification Act 1975 (c. 25)
The Health and Medicines (Northern Ireland) Order 1988 (NI 24)
The Health and Personal Social Services (Special Agencies)(Northern Ireland) Order 1990 (NI 3)

PART II — AMENDMENTS COMING INTO OPERATION ON A DAY OR DAYS TO BE APPOINTED UNDER ARTICLE 1(2)

The Human Tissue Act (Northern Ireland) 1962 (c. 19)
The Children and Young Persons Act (Northern Ireland) 1968 (c. 34)
The Commissioner for Complaints Act (Northern Ireland) 1969 (c. 25)
The Nursing Homes and Nursing Agencies Act (Northern Ireland)1971 (c. 32)
The Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14)
The Northern Ireland Assembly Disqualification Act 1975 (c. 25)
The Industrial Relations (No. 2) (Northern Ireland) Order 1976 (NI 28)
The Road Traffic (Northern Ireland) Order 1981 (NI 1)
The Social Security (Northern Ireland) Order 1982 (NI 16)
The Education and Libraries (Northern Ireland) Order 1986 (NI 3)
The Mental Health (Northern Ireland) Order 1986 (NI 4)
The Social Security (Northern Ireland) Order 1986 (NI 18)
The AIDS (Control) (Northern Ireland) Order 1987 (NI 18)
The Disabled Persons (Northern Ireland) Act 1989 (c. 10)
The Opticians Act 1989 (c. 44)

SCHEDULE 6 — REPEALS

PART I — REPEALS COMING INTO OPERATION ON 1ST APRIL 1991

PART II — REPEALS COMING INTO OPERATION ON A DAY OR DAYS TO BE APPOINTED UNDER ARTICLE 1(2)

Explanatory Note