



National Health Service Reorganisation Act 1973

1973 CHAPTER 32

PART I

ADMINISTRATION

Co-operation and assistance

10 Co-operation between Health Authorities and local authorities

- (1) In exercising their respective functions Health Authorities and local authorities shall co-operate with one another in order to secure and advance the health and welfare of the people of England and Wales.
- (2) There shall be committees, to be called joint consultative committees, who shall advise Area Health Authorities and the authorities in column 2 of the Table below on the performance of their duties under the preceding subsection and on the planning and operation of services of common concern to those authorities.

TABLE

1	2
<i>Area Health Authority</i>	<i>Associated authorities</i>
An Area Health Authority in a metropolitan county in England.	The local authority for each district wholly or partly in the area of the Authority.
An Area Health Authority in a non-metropolitan county in England, or an	The local authority for each county, and also for each district, wholly or

Status: This is the original version (as it was originally enacted).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

1	2
<i>Area Health Authority</i>	<i>Associated authorities</i>
<p>Area Health Authority in Wales.</p> <p>Also the Common Council of the City of London, if in the area of the Authority.</p>	<p>partly in the area of the Authority.</p> <p>An Area Health Authority in Greater London.</p> <p>Also the Inner London Education Authority, if wholly or partly in the area of the Authority.</p> <p>The local authority for each London borough wholly or partly in the area of the Authority.</p>

- (3) Except as provided by an order under the following provisions of this section, each joint consultative committee shall represent one or more Area Health Authorities together with one or more of the authorities in column 2 of the Table above, and an Area Health Authority shall be represented together with each of the authorities associated with that Authority in column 2 of the said Table in one or other of the committees (but not necessarily the same committee).
- (4) The Secretary of State shall have power by order to provide for any matter relating to joint consultative committees, and such an order may in particular—
- (a) provide for the way in which the provisions of subsections (2) and (3) of this section are to be carried out, or provide for varying the arrangements set out in those subsections;
 - (b) provide, where it appears to the Secretary of State appropriate, for an Area Health Authority to be represented on a joint consultative committee together with a local or other authority whose area is not within the area of the Area Health Authority ;
 - (c) afford a choice to any authorities as to the number of joint consultative committees on which they are to be represented, and provide for the case where the authorities cannot agree on the choice ;
 - (d) authorise or require a joint consultative committee to appoint any sub-committee or to join with another joint consultative committee or other joint consultative committees in appointing a joint sub-committee ;
 - (e) authorise or require the appointment to a joint consultative committee, or to any sub-committee, of persons who are not members of the authorities represented by the joint consultative committee ;
 - (f) require the authorities represented on a joint consultative committee to defray the expenses of the committee, and of any sub-committee, in such shares as may be determined by or under the order, and provide for the way in which any dispute between those authorities concerning the expenses is to be resolved ; and
 - (g) require those authorities to make reports to the Secretary of State on the work of the joint consultative committee and of any sub-committee.

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

- (5) Before making an order under this section the Secretary of State shall consult with such associations of local authorities as appear to him to be concerned, and with any local authority with whom consultation appears to him to be desirable.
- (6) In this and the three next following sections " Health Authority" means a Regional or Area Health Authority or a special health authority.

11 Supply of goods and services by Secretary of State

- (1) The Secretary of State may—
 - (a) supply to local authorities, and to such public bodies or classes of public bodies as may be determined by the Secretary of State, any goods or materials of a kind used in the health service ;
 - (b) make available to local authorities, and to such bodies or classes of bodies as aforesaid, any facilities (including the use of any premises and the use of any vehicle, plant or apparatus) provided by him for any service under the Health Service Acts and the services of persons employed by the Secretary of State or by a Health Authority;
 - (c) carry out maintenance work in connection with any land or building for the maintenance of which a local authority is responsible.
- (2) The Secretary of State may supply or make available to persons providing general medical services, general dental services, general ophthalmic services or pharmaceutical services such goods, materials or other facilities as may be prescribed.
- (3) The Secretary of State shall make available to local authorities—
 - (a) any services or other facilities (excluding the services of any person but including goods or materials, the use of any premises and the use of any vehicle, plant or apparatus) provided under the Health Service Acts ;
 - (b) the services provided as part of the health service by any person employed by the Secretary of State or a Health Authority; and
 - (c) the services of any medical practitioner, dental practitioner or nurse employed by the Secretary of State or a Health Authority otherwise than to provide services which are part of the health service,so far as is reasonably necessary and practicable to enable local authorities to discharge their functions relating to social services, education and public health.
- (4) It shall be the duty of the Secretary of State, before he makes the services of any officer of a Health Authority available in pursuance of subsection (1)(b) or subsection (3)(b) or (c) of this section, to consult the officer or a body recognised by the Secretary of State as representing the officer about the matter or to satisfy himself that the Health Authority has consulted the officer about the matter; but the Secretary of State shall be entitled to disregard the preceding provisions of this subsection in a case where he considers it necessary to make the services of an officer available as aforesaid for the purpose of dealing temporarily with an emergency and has previously consulted such a body about the making available of services in an emergency.
- (5) For the purposes of subsection (1)(b) or subsection (3)(b) or (c) of this section the Secretary of State may give such directions to Health Authorities to make services of their officers available as he considers appropriate; and it shall be the duty of a Health Authority to comply with any such directions.

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

- (6) The powers conferred by this section may be exercised on such terms as may be agreed, including terms as to the making of payments to the Secretary of State, and such charges may be made by the Secretary of State in respect of services or facilities provided under subsection (3) of this section as may be agreed between the Secretary of State and the local authority or, in default of agreement, as may be determined by arbitration.
- (7) The Secretary of State may by order provide that, in relation to a vehicle which is made available by him in pursuance of this section and is used in accordance with the terms on which it is so made available, the Vehicles (Excise) Act 1971 and Part VI of the Road Traffic Act 1972 shall have effect with such modifications as are specified in the order.
- (8) Any power to supply goods or materials conferred by this section includes a power to purchase and store them and a power to make arrangements with third parties for the supply of the goods or materials by those third parties.
- (9) In subsection (1) of this section—
 - " maintenance work " includes minor renewals, minor improvements and minor extensions ; and
 - " public bodies " includes public bodies in Northern Ireland.

12 Supply of goods and services by local authorities

- (1) In the Local Authorities (Goods and Services) Act 1970 (supply of goods or services to public bodies) the expression " public body " shall include any Health Authority and, so far as relates to his functions under the Health Service Acts, shall include the Secretary of State.

The preceding provisions of this subsection shall have effect as if made by an order under section 1(5) of the said Act of 1970 and accordingly may be varied or revoked by such an order.

- (2) Every local authority shall make available to Health Authorities acting in the area of the local authority the services of persons employed by the local authority for the purposes of the authority's functions under the Local Authorities Social Services Act 1970 so far as is reasonably necessary and practicable to enable Health Authorities to discharge their functions under the Health Service Acts.
- (3) Such charges may be made by a local authority for acting under the preceding subsection as may be agreed between the local authority and the Secretary of State or, in default of agreement, as may be determined by arbitration.

13 Voluntary organisations and other bodies

- (1) The Secretary of State may, where he considers it appropriate, arrange with any person or body (including a voluntary organisation) for that person or body to provide, or assist in providing, any service under the Health Service Acts.
- (2) The Secretary of State may make available—
 - (a) to any person or body (including a voluntary organisation) carrying out any arrangements under the preceding subsection; or

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

- (b) to any voluntary organisation eligible for assistance under section 64 or section 65 of the Health Services and Public Health Act 1968 (assistance made available by the Secretary of State or local authorities),
any facilities (including goods or materials, or the use of any premises and the use of any vehicle, plant or apparatus) provided by him for any service under the Health Service Acts and, where anything is so made available, the services of persons employed by the Secretary of State or by a Health Authority in connection with it.
- (3) The powers conferred by this section may be exercised on such terms as may be agreed, including terms as to the making of payments by or to the Secretary of State, and any goods or materials may be made available either temporarily or permanently; and subsection (7) of section 11 of this Act shall have effect in relation to a vehicle made available in pursuance of this section as if for the reference to that section there were substituted a reference to this section.
- (4) Any power to supply goods or materials conferred by this section includes a power to purchase and store them and includes a power to make arrangements with third parties for the supply of goods or materials by those third parties.
- (5) In this section " voluntary organisation " means a body the activities of which are carried on otherwise than for profit, but does not include any public or local authority.