

SCHEDULES

SCHEDULE 5

REGIONAL AND AREA HEALTH AUTHORITIES, FAMILY PRACTITIONER COMMITTEES, AND SPECIAL HEALTH AUTHORITIES

PART III

SUPPLEMENTARY PROVISIONS

Miscellaneous

- 12 Provision may be made by regulations as to—
- (a) the appointment and tenure of office of the chairman and members of an authority ;
 - (b) the appointment of, and the exercise of functions by, committees and sub-committees of an authority (including joint committees and joint sub-committees of two or more authorities, and committees and sub-committees consisting wholly or partly of persons who are not members of the authority in question) ; and
 - (c) the procedure of an authority, and of such committees and sub-committees as are mentioned in sub-paragraph (b) above.
- 13 An authority may pay subscriptions, of such amounts as the Secretary of State may approve, to the funds of such bodies as he may approve.
- 14 The proceedings of an authority shall not be invalidated by any vacancy in its membership, or by any defect in a member's appointment.
- 15 (1) An authority shall, notwithstanding that it is exercising any function on behalf of the Secretary of State or another authority, be entitled to enforce any rights acquired in the exercise of that function, and be liable in respect of any liabilities incurred (including liabilities in tort) in the exercise of that function, in all respects as if it were acting as a principal.
- Proceedings for the enforcement of such rights and liabilities shall be brought, and brought only, by or, as the case may be, against the authority in question in its own name.
- (2) An authority shall not be entitled to claim in any proceedings any privilege of the Crown in respect of the discovery or production of documents.
- This sub-paragraph shall not prejudice any right of the Crown to withhold or procure the withholding from production of any document on the ground that its disclosure would be contrary to the public interest.
- (3) The Secretary of State may by order provide—

Status: This is the original version (as it was originally enacted).

- (a) that any right which a Regional Hospital Board, a Board of Governors or a Hospital Management Committee was entitled to enforce by virtue of section 13 of the National Health Service Act 1946 immediately before 1st April 1974, and
- (b) that any liability in respect of which such a board or committee was liable by virtue of that section immediately before that day,

shall, on and after that day, be enforceable by or, as the case may be, against a health authority specified in the order as if the health authority so specified were concerned as a principal with the matter in question and did not exercise functions on behalf of the Secretary of State.

A statutory instrument containing only an order made by virtue of this sub-paragraph shall be laid before Parliament after being made.

- 16 Provision may be made by regulations with respect to the recording of information by an authority, and the furnishing of information by an authority to the Secretary of State or another authority.