
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Health Authorities Act 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS

Annotations:

Extent Information

- E1** [Sch. 1](#) does not extend to the Colonies; the amending/repealing provisions within Sch. 1 are co-extensive with the enactments they affect see [s.9\(2\)](#).

PART I

AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 1977

47 For section 97 substitute—

“97 Means of meeting expenditure of Health Authorities and Special Health Authorities out of public funds.

- (1) It is the duty of the Secretary of State to pay to each Health Authority sums equal to expenditure of the Health Authority which—
 - (a) is attributable to the payment of remuneration to persons providing services in pursuance of Part II of this Act; but
 - (b) is not expenditure within subsection (2) below.
- (2) It is also the duty of the Secretary of State to pay in respect of each financial year to each Health Authority sums not exceeding the amount allotted for that year by the Secretary of State to the Health Authority towards meeting the expenditure of the Health Authority which is attributable to the reimbursement of expenses of persons providing services in pursuance of Part II of this Act which are expenses—
 - (a) incurred in connection with the provision of the services (or in giving instruction in matters relating to the services); and
 - (b) of a description specified in the allotment.
- (3) It is also the duty of the Secretary of State to pay in respect of each financial year to each Health Authority sums not exceeding the amount allotted for that year by the Secretary of State to the Health Authority towards meeting the expenditure of the Health Authority which—
 - (a) is attributable to the performance by the Health Authority of their functions in that year; but
 - (b) is not expenditure within subsection (1) or (2) above.

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- (4) It is the duty of the Secretary of State to pay in respect of each financial year to each Special Health Authority sums not exceeding the amount allotted for that year by the Secretary of State to the Special Health Authority towards meeting the expenditure of the Special Health Authority which is attributable to the performance by the Special Health Authority of their functions in that year.
- (5) An amount is allotted to a Health Authority or Special Health Authority for a year under this section when they are notified by the Secretary of State that it is allotted to them for that year; and the Secretary of State may make an allotment under this section increasing or reducing an allotment previously so made.
- (6) The Secretary of State may give directions to a Health Authority or Special Health Authority with respect to—
- (a) the application of sums paid to them under subsections (1) to (3), or subsection (4), above;
 - (b) the payment of sums by them to the Secretary of State in respect of charges or other sums referable to the valuation or disposal of assets; or
 - (c) the application by them of sums received by them by virtue of section 15(7)(a) of the ^{M1}National Health Service and Community Care Act 1990.
- (7) Where directions have been given to a Health Authority or Special Health Authority under subsection (6) above it is the duty of the Health Authority or Special Health Authority to comply with the directions.
- (8) Where an order establishing a Special Health Authority provides for any expenditure of the Special Health Authority to be met by a Health Authority or by two or more Health Authorities in portions determined by or in accordance with the order, it is the duty of the Health Authority, or each of the Health Authorities, to pay to the Special Health Authority sums equal to, or to the appropriate portion of, that expenditure.
- (9) Sums falling to be paid under this section shall be payable subject to compliance with such conditions as to records, certificates or otherwise as the Secretary of State may determine.”

Annotations:

Marginal Citations

M1 1990 c. 19.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 5(2A)-(2C) inserted by [S.I. 2003/2867 Sch. para. 23](#)
- Sch. 2 para. 5(3)-(6) substituted for Sch. 2 para. 5(3) by [2006 c. 43 Sch. 1 para. 176\(b\)](#)

Commencement Orders yet to be applied to the Health Authorities Act 1995

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2003/53 art. 2-4](#) commences (2001 c. 15)
- [S.I. 2003/2660 art. 2-4](#) commences (2003 c. 4)
- [S.I. 2003/3064 art. 2](#) commences (2003 c. 4)
- [S.I. 2004/288 art. 2-6](#) commences (2003 c. 43)
- [S.I. 2004/480 art. 2-5](#) commences (2003 c. 43)
- [S.I. 2004/759 art. 2-13](#) commences (2003 c. 43)
- [S.I. 2004/1009 art. 2](#) commences (2003 c. 43)
- [S.I. 2004/1019 art. 2](#) commences (2003 c. 43)
- [S.I. 2005/2800 art. 3-5](#) commences (2005 c. 10)
- [S.I. 2005/2897 art. 2](#) commences (2002 c. 38)
- [S.I. 2005/2925 art. 2 4-11](#) commences (2003 c. 43)
- [S.I. 2006/345 art. 2-7](#) commences (2003 c. 43)
- [S.I. 2006/481 art. 2 3](#) commences (2001 c. 15)
- [S.I. 2006/1407 Sch. 1 Pt. 2 para. 6 8](#) commences (1999 c. 8 and 2001 c. 15)
- [S.I. 2006/1997 art. 3](#) commences (2004 c. 30)
- [S.I. 2008/1900 art. 2](#) commences (2007 c. 12)
- [S.I. 2008/1922 art. 2](#) commences (2003 c. 37)