



# Health Act 1999

## 1999 CHAPTER 8

### PART I

#### THE NATIONAL HEALTH SERVICE

##### *Miscellaneous*

VALID FROM 01/04/2000

#### **41 High security psychiatric services.**

(1) For section 4 of the 1977 Act (special hospitals) there is substituted—

##### **“4 High security psychiatric services.**

- (1) The duty imposed on the Secretary of State by section 1 above to provide services for the purposes of the health service includes a duty to provide hospital accommodation and services for persons who are liable to be detained under the <sup>M1</sup>Mental Health Act 1983 and in his opinion require treatment under conditions of high security on account of their dangerous, violent or criminal propensities.
- (2) The hospital accommodation and services mentioned in subsection (1) above are in this Act referred to as “high security psychiatric services”.
- (3) High security psychiatric services shall be provided only at hospital premises at which services are provided only for the persons mentioned in subsection (1) above; and for this purpose “hospital premises” means—
  - (a) a hospital; or
  - (b) any part of a hospital which is treated as a separate unit.”

(2) In section 145(1) of the <sup>M2</sup>Mental Health Act 1983 (interpretation), in the definition of “the managers”, paragraph (b) is omitted.

*Status: Point in time view as at 01/10/1999. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Miscellaneous. (See end of Document for details)*

(3) At the end of paragraph 10 of Schedule 2 to the 1990 Act (powers of NHS trusts to enter into NHS contracts) there is inserted—

“(2) An NHS trust may not, as the provider, enter into an NHS contract for the provision of high security psychiatric services unless the NHS trust is approved for the purpose of this paragraph by the Secretary of State.

(3) Such approval—

- (a) shall be for a period specified in the approval,
- (b) may be given subject to conditions, and
- (c) may be amended or revoked at any time.”

#### Marginal Citations

M1 1983 c.20.

M2 1983 c.20.

## 42 Provision of information by Registrar General.

After section 124 of the 1977 Act there is inserted—

### “124A Provision of information by Registrar General.

- (1) The Registrar General may provide to the Secretary of State any information to which this section applies.
- (2) Any information provided under subsection (1) above shall be provided in such form as appears to the Registrar General appropriate for the purpose of assisting the Secretary of State in the performance of his functions in relation to the health service.
- (3) This section applies to any information—
  - (a) entered in any register kept under the <sup>M3</sup>Births and Deaths Registration Act 1953; or
  - (b) which is kept by the Registrar General under any other enactment and relates to any birth or death.
- (4) In subsection (3) above, “enactment” includes an enactment contained in subordinate legislation.”

#### Marginal Citations

M3 1953 c.20.

## 43 Health Service Commissioners.

- (1) Section 15 of the <sup>M4</sup>Health Service Commissioners Act 1993 (confidentiality of information) is amended as follows.

---

*Status:* Point in time view as at 01/10/1999. This version of this cross heading contains provisions that are not valid for this point in time.

*Changes to legislation:* There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Miscellaneous. (See end of Document for details)

---

- (2) In subsection (1), at the beginning of paragraph (e) there is inserted “ where the information is to the effect that any person is likely to constitute a threat to the health or safety of patients ”.
- (3) Subsection (1A) is omitted.
- (4) In subsection (1B)—
- (a) for “such a case” there is substituted “ a case within subsection (1)(e) ”,
  - (b) the words following “patients” are omitted.
- (5) In subsection (1C), for paragraphs (a) and (b) there is substituted—
- “(a) where he knows the identity of the person mentioned in subsection (1) (e), inform that person that he has disclosed the information and of the identity of any person to whom he has disclosed it, and
  - (b) inform the person from whom the information was obtained that he has disclosed it”.

---

**Commencement Information**

**I1** S. 43 wholly in force at 1.3.2000; s. 43 not in force at Royal Assent see s. 67(1); s. 43 in force for E.W. at 1.10.1999 by S.I. 1999/2540, art. 2(1)(b); s. 43 in force for S. at 1.3.2000 by S.S.I. 2000/38, art. 2

---

**Marginal Citations**

**M4** 1993 c.46.

**Status:**

Point in time view as at 01/10/1999. This version of this cross heading contains provisions that are not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Health Act 1999, Cross Heading: Miscellaneous.