



Health Act 1999

1999 CHAPTER 8

PART I

THE NATIONAL HEALTH SERVICE

Local administration

6 Delegation of Health Authority functions relating to pilot schemes and section 28C arrangements

- (1) After section 8 of the National Health Service (Primary Care) Act 1997, there is inserted—

“8A Delegation of Health Authority functions relating to pilot schemes

- (1) The following functions of a Health Authority are excepted functions for the purpose of section 17A of the 1977 Act—
- (a) their function of entering into pilot schemes under which personal dental services are provided, and, where they have entered into such a scheme, any functions arising under the scheme which relate to those or any other services provided under the scheme,
 - (b) where a Primary Care Trust is providing any services under a pilot scheme, any functions of the Health Authority arising under that scheme (but the functions are only excepted in relation to that trust),
 - (c) their functions under section 4 (preparation of pilot scheme proposals),
 - (d) any function conferred under section 18 (funding work preparatory to pilot schemes).
- (2) The Secretary of State may by order make provision for any rights and liabilities arising under pilot schemes under which personal medical services are provided to be transferred from Health Authorities to Primary Care Trusts and from Primary Care Trusts to Health Authorities.

Status: This is the original version (as it was originally enacted).

(3) Subsection (2) is without prejudice to any other power of the Secretary of State to transfer rights and liabilities under the 1977 Act.”

(2) After section 28E of the 1977 Act there is inserted—

“28EE Delegation of Health Authority functions relating to section 28C arrangements

(1) The following functions of a Health Authority are excepted functions for the purpose of section 17A above—

- (a) their function of entering into agreements under section 28C above under which personal dental services are provided, and, where they have entered into such an agreement, any functions arising under the agreement which relate to those or any other services provided under the agreement,
- (b) where a Primary Care Trust is providing any services in accordance with section 28C arrangements, any functions of the Health Authority arising under those arrangements (but the functions are only excepted in relation to that trust),
- (c) any function conferred under section 28E above of considering or approving proposals to provide services in accordance with section 28C arrangements,
- (d) any function conferred under section 28E(3)(k) above of making payments of financial assistance to fund work relating to section 28C arrangements.

(2) The Secretary of State may by order make provision for any rights and liabilities arising under an agreement to provide personal medical services under section 28C above to be transferred from Health Authorities to Primary Care Trusts and from Primary Care Trusts to Health Authorities.

(3) Subsection (2) above is without prejudice to any other power of the Secretary of State to transfer rights and liabilities under this Act.”