Health Act 1999

1999 CHAPTER 8

PART III

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

61 English and Scottish border provisions.

(1) Her Majesty may by Order in Council provide for any functions to which subsection (2) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in English border areas, to be exercisable (instead of any corresponding function to which subsection (4) applies) in respect of the provision of the services in question to persons in Scottish border areas who are specified in the Order.

(2) This subsection applies to any functions under **[**[F1]the National Health Service Act 2006, or the National Health Service (Wales) Act 2006**]**[F2]... which are exercisable by the Secretary of State, **[**[F3]NHS England**]** or any **[**[F4]integrated care board**]**[F5]... [F6]... .

(3) Her Majesty may by Order in Council provide for any functions to which subsection (4) applies which are specified in the Order, so far as exercisable in respect of the provision of services to persons in Scottish border areas, to be exercisable (instead of any corresponding function to which subsection (2) applies) in respect of the provision of the services in question to persons in English border areas who are specified in the Order.

(4) This subsection applies to any functions under the 1978 Act, or Part I of the National Health Service (Primary Care) Act 1997, which are exercisable by the Scottish Ministers or any Health Board or NHS trust established under the 1978 Act.

(5) In this section—

"English border area" means the area of any **[**[F7]integrated care board**]**[F8]... adjacent to Scotland,

"Scottish border area" means the area of any Health Board adjacent to England.

Textual Amendments

F1 Words in s. 61(2) substituted (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 196** (with Sch. 3 Pt. 1)

F2 Words in s. 61(2) repealed (1.4.2006) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 196, 199, **Sch. 14 Pt. 4**; S.I. 2005/2925, arts. 1(3), **11(2)(p)**

F3 Words in s. 61 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 1 para. 1(1)**(2)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

F4 Words in s. 61(2) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 59**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

F5 Words in s. 61(2) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 92(a)(iii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

F6 Words in s. 61(2) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 92(a)(iv)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

F7 Words in s. 61(5) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 59**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

F8 Words in s. 61(5) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 92(b)(ii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

Changes to legislation:
There are currently no known outstanding effects for the Health Act 1999, Section 61.