



Health and Social Care Act 2001

2001 CHAPTER 15

PART 1

NATIONAL HEALTH SERVICE

Health service funding

1 Determination of allotments to and resource limits for Health Authorities and Primary Care Trusts

- (1) Part 4 of the National Health Service Act 1977 (c. 49) (property and finance) shall be amended as follows.
- (2) In section 97 (payments to Health Authorities and Special Health Authorities), after subsection (3) there shall be inserted—
 - “(3AA) In determining the amount to be allotted for any year to a Health Authority under subsection (3) above (or in varying the amount under subsection (5) below), the Secretary of State may take into account (in whatever way he thinks appropriate)—
 - (a) the Authority’s general Part 2 expenditure, and
 - (b) expenditure which would have been the Authority’s general Part 2 expenditure but for an order under section 103(1) below,during any period he thinks appropriate (or such elements of that expenditure as he thinks appropriate).”
- (3) In section 97AA (resource limits for Health Authorities and Special Health Authorities), after subsection (2) there shall be inserted—
 - “(2A) But in specifying an amount for a Health Authority under subsection (1) above (or in varying the amount under subsection (6) below), the Secretary of State may take into account (in whatever way he thinks appropriate)—
 - (a) any such use of resources, and

Status: This is the original version (as it was originally enacted).

- (b) the use of any resources which would have been for the purpose of the Authority's general Part 2 expenditure but for an order under section 103(1) below,
during any period he thinks appropriate (or such elements of such uses of resources as he thinks appropriate)."
- (4) In section 97C (public funding of Primary Care Trusts), after subsection (1) there shall be inserted—
- “(1A) In determining the amount to be allotted for any year to a Primary Care Trust under subsection (1)(b) above (or in varying the amount under subsection (3) below), the Authority may take into account, in whatever way they think appropriate, but subject to any directions, the distribution within their area of—
- (a) their general Part 2 expenditure, and
(b) expenditure which would have been their general Part 2 expenditure but for an order under section 103(1) below,
during any period the Authority think appropriate (or such elements of that expenditure as they think appropriate).”
- (5) In section 97E (resource limits for Primary Care Trusts), after subsection (2) there shall be inserted—
- “(2A) But in specifying an amount for a Primary Care Trust under subsection (1) above (or in varying the amount under subsection (4) below), the Health Authority may take into account, in whatever way they think appropriate, but subject to any directions, the distribution within their area of—
- (a) their use of resources for the purpose of their general Part 2 expenditure, and
(b) the use of any resources which would have been for the purpose of their general Part 2 expenditure but for an order under section 103(1) below,
during any period they think appropriate (or such elements of such uses of resources as they think appropriate).”