

1987 No. 808

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

**The Disablement Services Authority (Establishment and
Constitution) Order 1987**

<i>Made</i> - - - -	<i>6th May 1987</i>
<i>Laid before Parliament</i>	<i>7th May 1987</i>
<i>Coming into force</i>	<i>1st July 1987</i>

The Secretary of State for Social Services, in exercise of powers conferred upon him by section 11 of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, hereby makes the following Order:-

Citation and commencement

1.—(1) This Order may be cited as the Disablement Services Authority (Establishment and Constitution) Order 1987 and shall come into force on 1st July 1987.

(2) This Order shall cease to have effect on 31st March 1991.

Establishment of the Disablement Services Authority

2. There is hereby established for a period ending on 31st March 1991 (hereinafter in this Order referred to as "the interim period") a special health authority which shall be known as the Disablement Services Authority (hereinafter in this Order referred to as "the Authority").

Functions of the Authority

3.—(1) Subject to paragraphs (2) and (3) below, and in accordance with such directions as the Secretary of State may give to the Authority, the Authority shall have the functions specified in this paragraph and such other functions as the Secretary of State may direct the Authority to perform on his behalf—

- (a) the provision (including fitting and repair) of artificial limbs, limb appurtenances and arm appliances;
- (b) the provision (including repair and maintenance) of non-powered and powered wheelchairs and of wheelchair accessories including the provision of special seating;
- (c) the provision of other facilities, being articles or appliances for use in the aftercare of disabled persons, as the Secretary of State may direct;
- (d) the payment, in accordance with regulations, of travelling expenses incurred by persons availing themselves of any services provided by the Authority;
- (e) the formulation and development of long-term policies designed to secure the efficient management of the artificial limb service and the wheelchair service;

(a) 1977 c.49; section 11 was amended by the Health Services Act 1980 (c.53) Schedule 1, paragraph 31.

- (f) the implementation of the policies referred to at sub-paragraph (e) above during the interim period and the submission of recommendations to the Secretary of State as to the implementation after the interim period of the said policies.
- (2) In performing any function conferred upon the Authority by this Order the Authority shall have regard to the following—
- (a) the relationship between its responsibilities and any responsibilities for the provision of related services for disabled persons falling to other health authorities in accordance with functions exercised by them on behalf of the Secretary of State;
- (b) the terms of any agreements approved by the Secretary of State relating to the remuneration and conditions of employment of officers of the Department of Health and Social Security whose services have been made available to the Authority.
- (3) Nothing in this Order shall enable the Authority to carry out any research or development.

Constitution of the Authority

4. The Authority shall consist of not more than 10 members of whom one shall be the chairman and one the vice-chairman.

Enforceability of right and liability

5. Any right or liability which was enforceable by or against the Department of Health and Social Security before the date of the coming into force of this Order in connection with the artificial limb and appliance services, shall be enforceable by or against the Authority.

Admission to meetings

6. The Public Bodies (Admission to Meetings) Act 1960(a) shall apply to the Authority.

Signed by authority of the Secretary of State for Social Services.

6th May 1987

John Major
Minister of State,
Department of Health and Social Security.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the establishment and constitution of a special health authority to be known as the Disablement Services Authority for the purpose of carrying out certain specified functions relating to the artificial limb and appliance service and such other functions as the Secretary of State may direct.

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(a) 1960 c.67; paragraph 1 of Schedule 1 was amended by the National Health Service Reorganisation Act 1973 (c.32), Schedule 4, paragraph 99.