
STATUTORY INSTRUMENTS

1991 No. 2001

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service Supplies Authority
(Establishment and Constitution) Order 1991**

<i>Made</i>	- - - -	<i>4th September 1991</i>
<i>Laid before Parliament</i>		<i>10th September 1991</i>
<i>Coming into force</i>	- -	<i>1st October 1991</i>

The Secretary of State for Health, in exercise of powers conferred by section 11 and section 126(4) of, and paragraph 9(7)(b) of Schedule 5 to, the National Health Service Act 1977⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation, in accordance with subsection (5) of section 11 of that Act, with such bodies as he recognises as representing officers who in his opinion are likely to be transferred or affected by transfers in pursuance of the Order, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the National Health Service Supplies Authority (Establishment and Constitution) Order 1991 and shall come into force on 1st October 1991.

Establishment of the National Health Service Supplies Authority

2. There is hereby established a special health authority which shall be known as the National Health Service Supplies Authority (in this Order referred to as “the Authority”).

Functions of the Authority

3.—(1) Subject to paragraph (2) of this article, the Authority shall perform such functions relating to the supply of goods and services for the purposes of the health service as the Secretary of State may direct it to perform on his behalf.

(2) The functions of the Authority shall not include functions as respects Wales.

(1) 1977 c. 49; section 11 was amended by the Health Services Act 1980 (c. 53), Schedule 1, paragraph 31 and the National Health Service and Community Care Act 1990 (c. 19), Schedule 10; and paragraph 9(7) was added by that Act of 1990, Schedule 1, Part III, paragraph 7.

Constitution of the Authority

4. The Authority shall consist of—
- (a) the chairman;
 - (b) not more than five members who are not officers of the Authority;
 - (c) the chief officer of the Authority; and
 - (d) not more than four members who are officers of the Authority.

Transfer of staff

5.—(1) This paragraph applies to any officer who is, immediately before 1st January 1992, employed by a District Health Authority whose District is in England or a Regional Health Authority (in this article referred to as an “old Authority” and who has been placed at the disposal of the Secretary of State solely or mainly for the purpose of performing functions in relation to the purchase, storage and distribution of supplies for the purposes of the health service.

(2) This paragraph applies to any officer who is, immediately before 1st October 1992, employed by an old Authority solely or mainly for the purpose of performing functions in relation to the purchase, storage, and distribution of supplies for the purposes of the health service.

(3) Any officer to whom paragraph (1) or (2) of this article applies shall, in the case of the former, on 1st January 1992 and, in the case of the latter, on 1st October 1992 be transferred to the employment of the Authority, and the contract of employment between each such officer and an old Authority shall be modified so as to substitute the Authority as the employer in place of the old Authority.

(4) Any dispute as to the application of this article in relation to any particular officer shall be determined by the Secretary of State.

Remuneration of members

6. The Authority is specified for the purposes of paragraph 9(7)(b) of Schedule 5 to the National Health Service Act 1977.

Signed by authority of the Secretary of State for Health

4th September 1991

Stephen Dorrell
Parliamentary Under-Secretary of State,
Department of Health

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 National Health Service Supplies Authority for the purpose of exercising on behalf of the Secretary of State functions relating to the supply of goods and services for the purposes of the health service.

The Order makes provision for the transfer of officers formerly employed by District or Regional Health Authorities in connection with the supply of goods and services for the purposes of the health service (article 5).

The Order also makes provision for the remuneration of non-officer members (article 6).