

1999 No. 628

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Functions of Health Authorities and Administration Arrangements) Amendment Regulations 1999

<i>Made</i> - - - -	<i>8th March 1999</i>
<i>Laid before Parliament</i>	<i>10th March 1999</i>
<i>Coming into force</i>	<i>1st April 1999</i>

The Secretary of State for Health, in exercise of powers conferred by sections 13, 16(1), 17, 18 and 126(3) and (4) of the National Health Service Act 1977(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Functions of Health Authorities and Administration Arrangements) Amendment Regulations 1999 and shall come into force on 1st April 1999.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Functions of Health Authorities and Administration Arrangements) Regulations 1996(b).

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended in accordance with the following provisions of this regulation.

(2) In regulation 2(1) (interpretation), after the definition of “the 1997 Act”(c) the word “and” is omitted and there are inserted the following definitions—

““primary care group” means a committee appointed under regulation 14(1) of the Health Authorities (Membership and Procedure) Regulations 1996(d) in accordance with the Secretary of State’s directions of 15 October 1998(e);”

“relevant Health Authority” means a Health Authority which is a relevant Health Authority under section 15 of the Act(f);”.

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- (a) 1977 c. 49. Section 13 was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), paragraph 33 of Schedule 1, by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), Schedule 10, and by the Health Authorities Act 1995 (c. 17) (“the 1995 Act”), paragraph 4 of Schedule 1. Sections 16 and 17 were substituted by the 1995 Act, paragraphs 7 and 8 respectively of Schedule 1. Section 18 was amended by the 1980 Act, paragraphs 38 and 92 of Schedule 1, by S.I. 1985/39, article 7, by the 1990 Act, Schedule 10 and by the 1995 Act, section 3(8) and paragraph 9 of Schedule 1. Section 126 was amended by the 1990 Act, section 65(2), by the 1995 Act, paragraph 57 of Schedule 1 and by the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 1, paragraph 27.
- (b) S.I. 1996/708 as amended by S.I. 1998/646.
- (c) The definition of “the 1997 Act” was inserted by S.I. 1998/646, regulation 16(2).
- (d) S.I. 1996/707 as amended by S.I. 1997/2991, 1998/648 and 1998/2621.
- (e) A copy of the directions may be obtained by writing to Department of Health, PC-GMS, Room 7E60 Quarry House, Quarry Hill, Leeds LS2 7UE.
- (f) Section 15 was amended by the Health Services Act 1980 (c. 53) sections 1 and 2 and Schedule 1 Part I, by the Health and Social Security Act 1984 (c. 48) section 5 and Schedule 8 Part I, by the National Health Service and Community Care Act 1990 (c. 19) section 12(1), by the Health Authorities Act 1995 (c. 17) Schedule 1 paragraph 6(1) and by the National Health Service (Primary Care) Act 1997 (c. 46) Schedule 2 paragraph 4.

(3) In regulation 3 (functions exercisable by Health Authorities), in paragraph (1), for the words “regulation 4” there are substituted the words “regulations 3A and 4”.

(4) After regulation 3 there is inserted the following new regulation—

“Exercise of functions in adjoining areas: primary care groups

3A.—(1) This regulation applies where:

- (a) persons residing in the area of a Health Authority are on the list of a medical practitioner in respect of whom the relevant Health Authority is the Health Authority for another area, and
- (b) that relevant Health Authority has, in accordance with directions given by the Secretary of State, appointed a primary care group to exercise functions in relation to persons on the list of that medical practitioner residing in its own area.

(2) Where this regulation applies, the primary care group appointed by the relevant Health Authority shall, in relation to the persons mentioned in sub-paragraph (1)(a), exercise on behalf of the first mentioned Authority the same functions as it exercises, in relation to the persons mentioned in sub-paragraph (1)(b), on behalf of the relevant Health Authority.”.

Signed by Authority of the
Secretary of State for Health

John Denham
Minister of State,
Department of Health

8th March 1999

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Functions of Health Authorities and Administration Arrangements) Regulations 1996 by inserting a new regulation 3A, providing for primary care groups appointed by Health Authorities to exercise certain additional functions on behalf of neighbouring Health Authorities in certain cases, and by making consequential amendments.

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