



Health Services and Public Health Act 1968

1968 CHAPTER 46

PART II

AMENDMENTS CONNECTED WITH LOCAL AUTHORITIES' SERVICES UNDER THE NATIONAL ASSISTANCE ACT 1948

44 Extension of power, under the National Assistance Act 1948, of local authority to provide accommodation elsewhere than in premises managed by them or another such authority.

[^{F1}(1) For subsection (1) of section 26 of the ^{M1}National Assistance Act 1948 (provision of accommodation in premises maintained by voluntary organisations), there shall be substituted the following subsections:—

“(1) Notwithstanding anything in the foregoing provisions of this Part of this Act, but subject to the next following subsection, a scheme under section twenty-one thereof may provide that a local authority—

- (a) may make, in lieu or in supplementation of the provision, in premises managed by them or another local authority, of accommodation of the kind mentioned in paragraph (a) of subsection (1) of the said section twenty-one, arrangements—
 - (i) with a voluntary organisation managing any premises, for the provision in those premises of accommodation of that kind;
 - (ii) with a person registered under section thirty-seven of this Act in respect of a disabled persons' or old persons' home, for the provision in that home of accommodation of that kind; and
- (b) may make, in lieu or supplementation of the provision, in premises managed by them or another local authority, of accommodation of the kind mentioned in paragraph (b) of the said subsection (1), arrangements with a voluntary organisation managing any premises for the provision in those premises of accommodation of that kind.

Changes to legislation: Health Services and Public Health Act 1968, Part II is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(1A) No arrangements shall be made by virtue of paragraph (a) of the foregoing subsection by a local authority with a person who has been convicted of an offence against regulations under section forty of this Act.”]

(2) In subsection (2) of the said section 26 (which requires arrangements under subsection (1) of that section provide for the making by the local authority of payments to the voluntary organisation with which they are made) for the words “the organisation” there shall be substituted the words “the other party thereto”.

Textual Amendments

F1

S. 44(1) repealed (*prosp.*) by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), ss. 66(2), 67(2), Sch. 10

Modifications etc. (not altering text)

C1

The text of ss. 44, 60(3)(5)(6)(8)(10)–(13) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M1

1948 c. 29

F2F345 Promotion by local authorities, of the welfare of old people.

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Textual Amendments

F2

S. 45 repealed (S.) by Social Work (Scotland) Act 1968 (c. 49), Sch. 9 Pt. I

F3

S. 45 omitted (6.4.2016) by virtue of The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016 (S.I. 2016/413), regs. 2(1), 14

F446 Application to Isles of Scilly.

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Textual Amendments

F4

S. 46 ceases to have effect (1.4.2015) by virtue of The Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015 (S.I. 2015/914), art. 1(2), Sch. para. 14 (with arts. 1(3), 3)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 59(2D) inserted by [S.I. 2006/1056 Sch. para. 1\(2\)\(c\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))
- s. 63(2)(aa) words inserted by [S.I. 2006/1056 Sch. para. 1\(3\)](#) (This amendment comes into force on the day on which 2005 asp 13, s. 20 comes into force, see art. 1(2)(b))