



Chronically Sick and Disabled Persons Act 1970

1970 CHAPTER 44

Provisions with respect to persons under 65

17 Separation of younger from older patients.

- (1) [^{F1}The Welsh Ministers] and every [^{F2}Health Board constituted under the ^{M1}National Health Service (Scotland) Act [^{F3}1972][^{F3}1978]] shall use their best endeavours to secure that, so far as practicable, in any hospital for which they are responsible a person who is suffering from a condition of chronic illness or disability and who—
- (a) is in the hospital for the purpose of long-term care for that condition; or
 - (b) normally resides elsewhere but is being cared for in the hospital because—
 - (i) that condition is such as to preclude him from residing elsewhere without the assistance of some other person; and
 - (ii) such assistance is for the time being not available,
- is not cared for in the hospital as an in-patient in any part of the hospital which is normally used wholly or mainly for the care of elderly persons, unless he is himself an elderly person.
- ^{X1}[^{F4}(2) Each such Board as aforesaid shall provide [^{F5}The Welsh Ministers] in such form and at such times as he may direct with such information as he may from time to time require as to any persons to whom subsection (1) of this section applied who, not being elderly persons, have been cared for in any hospital for which that Board are responsible in such a part of the hospital as is mentioned in that subsection; and [^{F5}The Welsh Ministers] shall in each year lay before [^{F6}the National Assembly for Wales] such statement in such form [^{F7}as they consider] appropriate of the information obtained by him under this subsection.]
- ^{X1}[^{F4}(2) [^{F5}The Welsh Ministers] shall in each year lay before [^{F6}the National Assembly for Wales] a statement, in such form [^{F7}as they consider] appropriate, of information as to any persons to whom subsection (1) of this section applied who, not being elderly persons, have during the preceding year been cared for in a hospital vested [^{F8}in them] and in such part of the hospital as is mentioned in that subsection.]

Status: Point in time view as at 01/04/2013.

Changes to legislation: There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Section 17. (See end of Document for details)

- (3) In this section “elderly person” means a person who is aged sixty-five or more or is suffering from the effects of premature ageing.

Editorial Information

- X1** S. 17 subsection (2) commencing “The Secretary of State” substituted (E.W.) for subsection (2) commencing “Each such Board” by [National Health Service Reorganisation Act 1973 \(c. 32\), s. 57, Sch. 4 para. 132\(2\)](#)

Textual Amendments

- F1** Words in s. 17(1) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 16\(2\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\), Sch. 6 para. 146](#)
- F3** “1978” substituted (S.) for “1972” by [National Health Service \(Scotland\) Act 1978 \(c. 29, SIF 38\), Sch. 16 para. 33](#)
- F4** S. 17 subsection (2) commencing “The Secretary of State” substituted (E.W.) for subsection (2) commencing “Each such Board” by [National Health Service Reorganisation Act 1973 \(c. 32\), s. 57, Sch. 4 para. 132\(2\)](#)
- F5** Words in s. 17(2) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 16\(3\)\(a\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** Words in s. 17(2) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 16\(3\)\(b\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** Words in s. 17(2) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 16\(3\)\(c\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F8** Words in s. 17(2) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 5 para. 16\(3\)\(d\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

Modifications etc. (not altering text)

- C1** S. 17: transfer of functions (E.) (1.4.2001) by S.I. 2001/747, regs. 2(1), 3, 4, [Sch. 1](#)
- C2** S. 17 functions made exercisable by Local Health Boards (E.W.) (1.10.2009) by [The Local Health Boards \(Directed Functions\) \(Wales\) Regulations 2009 \(S.I. 2009/1511\), regs. 1\(2\), 4, Schs.](#)

Marginal Citations

- M1** 1972 c. 58.

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

There are currently no known outstanding effects for the Chronically Sick and Disabled Persons Act 1970, Section 17.