



National Health Service Reorganisation Act 1973

1973 CHAPTER 32

PART I

ADMINISTRATION

Functions of Secretary of State

1 Reorganisation of national health service

It shall be the duty of the Secretary of State to arrange for the reorganisation in accordance with this Act of the national health service established in pursuance of section 1 of the National Health Service Act 1946.

2 General powers and duties of Secretary of State to provide services

- (1) Without prejudice to his powers apart from this subsection, the Secretary of State shall have power—
 - (a) to provide such services as he considers appropriate for the purpose of discharging any duty imposed on him by the Health Service Acts; and
 - (b) to do any other thing whatsoever which is calculated to facilitate, or is conducive or incidental to, the discharge of such a duty.
- (2) It shall be the duty of the Secretary of State to provide throughout England and Wales, to such extent as he considers necessary to meet all reasonable requirements.—
 - (a) hospital accommodation;
 - (b) other accommodation for the purpose of any service provided under the Health Service Acts;
 - (c) medical, dental, nursing and ambulance services;
 - (d) such other facilities for the care of expectant and nursing mothers and young children as he considers are appropriate as part of the health service;

- (e) such facilities for the prevention of illness, the care of persons suffering from illness and the after-care of persons who have suffered from illness as he considers are appropriate as part of the health service in place of arrangements of a kind which immediately before the passing of this Act it was the function of local health authorities to make in pursuance of section 12 of the Health Services and Public Health Act 1968 ;
 - (f) such other services as are required for the diagnosis and treatment of illness ; and regulations may provide for the making and recovery of charges in respect of facilities designated by the regulations as facilities provided in pursuance of paragraph (d) or (e) of this subsection.
- (3) The functions exercisable by local health authorities and the Greater London Council by virtue of sections 21 and 24 to 27 of the principal Act and sections 10 and 11 of the said Act of 1968 (which relate to the provision of certain health services by those bodies) shall cease to be exercisable by those bodies ; but nothing in this section affects the provisions of Part IV of the principal Act (which relates to arrangements with practitioners for the provision of medical, dental, ophthalmic and pharmaceutical services).

3 Medical and dental service for pupils

- (1) It shall be the duty of the Secretary of State to make provision for the medical and dental inspection at appropriate intervals of pupils in attendance at schools maintained by local education authorities and for the medical and dental treatment of such pupils.
- (2) Without prejudice to the powers of the Secretary of State apart from this subsection, he may—
- (a) by arrangement with any local education authority, make provision for any medical or dental inspection or treatment of—
 - (i) senior pupils in attendance at any educational establishment, other than a school, which is maintained by the authority and at which full-time further education is provided, or
 - (ii) any child or young person who, in pursuance of special arrangements made for him by the authority by virtue of section 56 of the Education Act 1944, is receiving primary or secondary education otherwise than at a school;
 - (b) by arrangement with the proprietor of any educational establishment which is not maintained by a local education authority, make any such provision in respect of junior or senior pupils in attendance at the establishment.
- (3) A local education authority shall not make an arrangement in pursuance of the preceding subsection in respect of such an establishment as is mentioned in paragraph (a)(i) of that subsection except by agreement with the governors of the establishment; and an arrangement made in pursuance of paragraph (b) of the preceding subsection may include provision for the making of payments by the proprietor in question.
- (4) It shall be the duty of the local education authorities by which schools (other than voluntary schools) are maintained and of the managers or governors of voluntary schools to make available to the Secretary of State such accommodation as is appropriate for the purpose of assisting him to make such provision as is mentioned in subsection (1) of this section for pupils in attendance at the schools.

- (5) In this section expressions to which meanings are assigned by section 114(1) of the Education Act 1944 have those meanings.

4 Family planning service

It shall be the duty of the Secretary of State to make arrangements, to such extent as he considers necessary to meet all reasonable requirements in England and Wales, for the giving of advice on contraception, the medical examination of persons seeking advice on contraception, the treatment of such persons and the supply of contraceptive substances and appliances; and it is hereby declared that the power conferred by section 1(1) of the National Health Service Act 1952 to provide for the making and recovery of charges includes power to provide for the making and recovery of charges for the supply of any such substances or appliances.