



# 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.

#### *Local administration*

#### **5 Regional and Area Health Authorities, Family Practitioner Committees and special health authorities**

- (1) It shall be the duty of the Secretary of State to establish by order in accordance with Part I of Schedule 1 to this Act—
- (a) authorities, to be called Regional Health Authorities, for such regions in England as he may by order determine; and
  - (b) authorities, to be called either Area Health Authorities or Area Health Authorities (Teaching) in accordance with the following subsection, for such areas in Wales and the said regions as he may by order determine;
- and orders determining regions or areas in pursuance of this subsection shall be separate from orders establishing authorities for the regions or areas.
- (2) An order establishing an Authority in pursuance of paragraph (b) of the preceding subsection may provide for it to be called an Area Health Authority (Teaching) if and only if the Secretary of State is satisfied that the Authority is to provide for a university or universities substantial facilities for undergraduate or post-graduate clinical teaching; and where the Secretary of State is satisfied that an Area Health Authority is to provide or is providing such facilities he may provide by order for the Authority to be called an Area Health Authority (Teaching) and where he is satisfied that an Area Health Authority (Teaching) no longer provides such facilities he may provide by order for the Authority to be called an Area Health Authority.
- (3) It shall be the duty of the Secretary of State, before providing that an Authority shall be called or cease to be called an Area Health Authority (Teaching), to consult the university or universities concerned with the facilities in question.
- (4) Any reference in the following provisions of this Act to an Area Health Authority includes a reference to an Area Health Authority (Teaching) unless the context otherwise requires.
- (5) It shall be the duty of each Area Health Authority to establish for its area, in accordance with Part II of Schedule 1 to this Act, a body which shall be called a Family Practitioner Committee.

- (6) If the Secretary of State considers that a special body should be established for the purpose of performing any functions which he may direct the body to perform on his behalf, or on behalf of an Area Health Authority or a Family Practitioner Committee, he may by order establish a body for that purpose and, subject to the provisions of Part III of Schedule 1 to this Act, make such further provision relating to the body as he thinks fit; and a body established in pursuance of this subsection shall, without prejudice to the power conferred by subsection (3) of the following section to allocate a particular name to the body, be called a special health authority.

## **6 Provisions supplementary to s. 5**

- (1) It shall be the duty of the Secretary of State to exercise the powers conferred on him by subsection (1) of the preceding section and the following subsection so as to secure—
- (a) that the regions determined in pursuance of those subsections together comprise the whole of England, that the areas so determined together comprise the whole of Wales and those regions and that no region includes part only of any area ; and
  - (b) that the provision of health services in each region can conveniently be associated with a university which has a school of medicine or with two or more such universities.
- (2) The Secretary of State may by order vary the region of a Regional Health Authority or the area of an Area Health Authority whether or not the variation entails the determination of a new or the abolition of an existing region or area, and an order made by virtue of this subsection may (without prejudice to the generality of section 56(4) of this Act) contain such provisions for the transfer of officers, property, rights and liabilities as the Secretary of State thinks fit; but it shall be the duty of the Secretary of State before he makes an order in pursuance of this subsection to consult with respect to the order such bodies as he may recognise as representing officers who in his opinion are likely to be transferred or affected by transfers in pursuance of the order and such other bodies as he considers are concerned with the order.
- (3) Without prejudice to the generality of the said section 56(4) or of the power to make an order conferred by subsection (6) of the preceding section, an order made in pursuance of that subsection may in particular contain provisions as to the membership of the body established by the order, the transfer to the body of officers, property, rights and liabilities and the name by which the body is to be known; but it shall be the duty of the Secretary of State before he makes such an order to consult with respect to the order such bodies as he may recognise as representing officers who in his opinion are likely to be transferred or affected by transfers in pursuance of the order.
- (4) The provisions of Part III of Schedule 1 to this Act shall, so far as applicable, have effect in relation to an Authority or other body established in pursuance of the preceding section.

## **7 Functions of authorities**

- (1) The Secretary of State may direct a Regional Health Authority, an Area Health Authority of which the area is in Wales or a special health authority to exercise on his behalf such of his functions relating to the health service as are specified in the directions (including any of his functions under enactments relating to mental health and nursing homes but excluding the duty imposed on him by section 1(1)

of the principal Act to secure the effective provision of the services mentioned in subsection (3) of this section); and subject to the following subsection it shall be the duty of the body in question to comply with the directions.

- (2) A Regional Health Authority may direct any Area Health Authority of which the area is included in its region to exercise such of the functions exercisable by the Regional Health Authority by virtue of the preceding subsection as are specified in the directions and it shall be the duty of the Area Health Authority to comply with the directions ; but if the Secretary of State directs a Regional Health Authority to secure that any of those functions specified in his directions are or are not exercisable by an Area Health Authority it shall be the duty of the Regional Health Authority to comply with his directions.
- (3) It shall be the duty of each Family Practitioner Committee in accordance with regulations—
- (a) to administer, on behalf of the Area Health Authority by which the Committee was established, the arrangements made in pursuance of the Health Service Acts for the provision of general medical services, general dental services, general ophthalmic services and pharmaceutical services for the area of the Authority; and
  - (b) to perform such other functions relating to those services as may be prescribed ;

and if it appears to the Secretary of State that, in consequence of regulations made by virtue of the preceding provisions of this subsection, references to an Area Health Authority in particular provisions of the Health Service Acts should be construed as references to a Family Practitioner Committee, he may by regulations provide accordingly.

- (4) Regulations may provide for functions exercisable by virtue of the preceding provisions of this section by a body other than an Area Health Authority, or exercisable by virtue of any provisions of the Health Service Acts by an Area Health Authority, to be exercisable on behalf of the body in question—
- (a) by an equivalent body or by another body of which the members consist only of the body and equivalent bodies;
  - (b) by a committee, sub-committee or officer of the body or an equivalent body or such another body as aforesaid ;
  - (c) in the case of functions exercisable by an Area Health Authority, by a special health authority, an officer of such an authority or a Family Practitioner Committee ;
  - (d) in the case of functions exercisable by a Family Practitioner Committee, by a special health authority, an officer of such an authority or an officer of an Area Health Authority;

and for the purposes of this subsection a Regional or Area Health Authority or a Family Practitioner Committee is equivalent to another body of the same name and a special health authority is equivalent to another such authority; but nothing in this subsection shall be construed as precluding any body from acting by an agent where it is entitled so to act apart from this subsection.

- (5) The Secretary of State may give directions with respect to the exercise of any functions exercisable by any body by virtue of the preceding provisions of this section or by an Area Health Authority by virtue of Part IV of the principal Act; and subject to any directions given by the Secretary of State by virtue of this subsection—

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*Status: This is the original version (as it was originally enacted).*

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- (a) a Regional Health Authority may give directions with respect to the exercise, by an Area Health Authority of which the area is included in its region, of any functions exercisable by the Area Health Authority by virtue of subsection (2) of this section ;
- (b) an Area Health Authority may give directions with respect to the exercise by the Family Practitioner Committee established by it of any functions which are exercisable by the Committee by virtue of subsection (3) of this section and are prescribed for the purposes of this paragraph;

and it shall be the duty of the body in question to comply with the directions.

- (6) Any directions given by the Secretary of State in pursuance of this section shall be given either by regulations or by an instrument in writing except that any such directions in respect of functions conferred on the Secretary of State by section 9(1) or (2) of this Act and any such directions in pursuance of subsection (1) of this section in respect of functions relating to special hospitals shall only be given by regulations, and any directions given by an Authority in pursuance of this section shall be given by an instrument in writing.
- (7) Directions given and regulations made in pursuance of this section in respect of a function—
  - (a) shall not, except in prescribed cases, preclude a body or person by whom the function is exercisable apart from the directions or regulations from exercising the function; and
  - (b) may in the case of directions given by an instrument in writing be varied or revoked by subsequent directions given in pursuance of this section (without prejudice to the operation of section 32(3) of the Interpretation Act 1889 in the case of directions given by regulations) ;

so however that an Area Health Authority shall not be entitled to exercise any function which by virtue of subsection (3) of this section is exercisable by the Family Practitioner Committee established by the Authority.

## **8 Local advisory committees**

- (1) Where the Secretary of State is satisfied that a committee formed for the region of a Regional Health Authority is representative of persons of any of the following categories, namely—
  - (a) the medical practitioners of the region ; or
  - (b) the dental practitioners of the region ; or
  - (c) the nurses and midwives of the region ; or
  - (d) the registered pharmacists of the region ; or
  - (e) the ophthalmic and dispensing opticians of the region,
 then, subject to the following subsection, it shall be the duty of the Secretary of State to recognise the committee; and a committee recognised in pursuance of this subsection shall be called the Regional Medical, Dental, Nursing and Midwifery, Pharmaceutical or Optical Committee, as the case may be, for the region in question.
- (2) Where the Secretary of State is satisfied that a committee formed for the region of a Regional Health Authority is representative of—
  - (a) any category of persons (other than a category mentioned in the preceding subsection) who provide services forming part of the health service ; or

- (b) two or more of any of the categories of persons mentioned in the preceding subsection and the preceding paragraph,
- and that it is in the interests of the health service to recognise the committee, it shall be the duty of the Secretary of State to recognise it in pursuance of this subsection and determine that it shall be known by a name specified in the determination; and where a committee recognised in pursuance of this subsection appears to the Secretary of State to represent categories of persons which include a category mentioned in the preceding subsection, he shall not be required by virtue of that subsection to recognise a committee representing persons of that category.
- (3) The Secretary of State may, by notice in writing served on any member of a committee recognised in pursuance of this section, withdraw his recognition of the committee if he considers it expedient to do so—
- (a) where the committee is recognised in pursuance of subsection (1) or (2)(a) of this section, with a view to recognising in pursuance of subsection (2)(b) of this section another committee representing categories of persons which include the category represented by the recognised committee;
- (b) where the committee is recognised in pursuance of the said subsection (2) (b), with a view to recognising in pursuance of any of the provisions of subsection (1) or (2) of this section other committees which together are representative of the categories in question.
- (4) It shall be the duty of a committee recognised by reference to the region of a Regional Health Authority in pursuance of subsection (1) or (2) of this section—
- (a) to advise the Authority on the provision by the Authority of services of the kind provided by the categories of persons of whom the committee is representative; and
- (b) to perform such other functions as may be prescribed;
- and it shall be the duty of the Authority to consult the committee with respect to such matters and on such occasions as may be prescribed.
- (5) A Regional Health Authority may defray such expenses incurred by such a committee in performing the duty imposed on the committee by the preceding subsection as the Authority considers reasonable (which may include travelling and other allowances and compensation for loss of remunerative time for members of the committee at such rates as the Secretary of State may determine with the approval of the Minister for the Civil Service).
- (6) The preceding provisions of this section shall have effect in relation to Wales as if—
- (a) for references to a region of an Authority there were substituted references to Wales ;
- (b) for the words " Regional Medical " in subsection (1) there were substituted the words " Welsh Medical ";
- (c) for the words " the Authority " in both places in subsection (4)(a) and for those words and the words " A Regional Health Authority " in subsection (5) there were substituted the words " the Secretary of State " ; and
- (d) in subsection (4) the words following paragraph (b) were omitted.
- (7) Subsections (1) to (5) of this section shall have effect in relation to an Area Health Authority of which the area is in England or Wales with the substitution for the word " Regional " of the word " Area " and for the word " region " of the word " area " .

## 9 Community Health Councils etc.

- (1) It shall be the duty of the Secretary of State to establish in accordance with this section a Council for the area of each Area Health Authority or separate Councils for such separate parts of the areas of those Authorities as he thinks fit; and such a council shall be called a Community Health Council (and is hereafter in this section referred to as a " Council").
- (2) The Secretary of State may if he thinks fit discharge the duty aforesaid by establishing a Council for a district which includes the areas or parts of the areas of two or more Area Health Authorities; but the Secretary of State shall be treated as not having discharged that duty unless he secures that there is no part of the area of an Area Health Authority which is not included in some Council's district.
- (3) It shall be the duty of a Council—
  - (a) to represent the interests in the health service of the public in its district; and
  - (b) to perform such other functions as may be conferred on it by virtue of the following subsection.
- (4) Provision may be made by regulations as to—
  - (a) the membership of Councils (including the election by members of a Council of a chairman of the Council);
  - (b) the proceedings of Councils ;
  - (c) the staff, premises and expenses of Councils ;
  - (d) the consultation of Councils by Area Health Authorities with respect to such matters and on such occasions as may be prescribed;
  - (e) the furnishing of information to Councils by Area Health Authorities and the rights of members of Councils to enter and inspect premises controlled by Area Health Authorities;
  - (f) the consideration by Councils of matters relating to the operation of the health service within their districts and the giving of advice by Councils to Area Health Authorities on such matters ;
  - (g) the preparation and publication of reports by Councils on such matters and the furnishing and publication by Area Health Authorities of comments on the reports; and
  - (h) the functions to be exercised by Councils in addition to the functions exercisable by them by virtue of paragraph (a) of the preceding subsection and the preceding provisions of this subsection ;and the Secretary of State may pay to members of Councils such travelling and other allowances (including compensation for loss of remunerative time) as he may determine with the consent of the Minister for the Civil Service.
- (5) It shall be the duty of the Secretary of State to exercise his power to make regulations in pursuance of paragraph (a) of the preceding subsection so as to secure as respects each Council that—
  - (a) at least one member of the Council is appointed by each local authority of which the area or part of it is included in the Council's district and at least half of the members of the Council consist of persons appointed by those local authorities;
  - (b) at least one third of the members of the Council are appointed in a prescribed manner by bodies (other than public or local authorities) of which the activities are carried on otherwise than for profit;



- (c) the other members of the Council are appointed by such bodies, in such manner and after such consultations as may be prescribed ; and
- (d) no member of the Council is also a member of a Regional Health Authority or Area Health Authority;

but nothing in this subsection shall affect the validity of anything done by or in relation to a Council during any period during which, by reason of a vacancy in the membership of the Council or a defect in the appointment of a member of it, a requirement included in regulations in pursuance of this subsection is not satisfied.

- (6) The Secretary of State may by regulations—
  - (a) provide for the establishment of a body—
    - (i) to advise Councils with respect to the performance of their functions and to assist Councils in the performance of their functions, and
    - (ii) to perform such other functions as may be prescribed; and
  - (b) make provision as to the membership, proceedings, staff, premises and expenses of the said body;

and the Secretary of State may pay to members of the said body such travelling and other allowances (including compensation for loss of remunerative time) as he may determine with the consent of the Minister for the Civil Service.

- (7) In this section—
  - " local authority " means the council of a London borough or of a county or district as defined in relation to England in section 270(1) of the Local Government Act 1972 or of a county or district mentioned in section 20(3) of that Act (which relates to Wales) or the Common Council of the City of London; and
  - " district " in relation to a Council, means the locality for which it is established, whether that locality consists of the area or part of the area of an Area Health Authority or such an area or part together with the areas or parts of the areas of other Area Health Authorities; and the district of a Council must be such that no part of it is separated from the rest of it by territory not included in the district.

#### *Co-operation and assistance*

### **10 Co-operation between Health Authorities and local authorities**

- (1) In exercising their respective functions Health Authorities and local authorities shall co-operate with one another in order to secure and advance the health and welfare of the people of England and Wales.
- (2) There shall be committees, to be called joint consultative committees, who shall advise Area Health Authorities and the authorities in column 2 of the Table below on the performance of their duties under the preceding subsection and on the planning and operation of services of common concern to those authorities.

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*Status: This is the original version (as it was originally enacted).*

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TABLE

1	2
<i>Area Health Authority</i>	<i>Associated authorities</i>
An Area Health Authority in a metropolitan county in England.	The local authority for each district wholly or partly in the area of the Authority.
An Area Health Authority in a non-metropolitan county in England, or an Area Health Authority in Wales.	The local authority for each county, and also for each district, wholly or partly in the area of the Authority.
	An Area Health Authority in Greater London.
	The local authority for each London borough wholly or partly in the area of the Authority.
	Also the Inner London Education Authority, if wholly or partly in the area of the Authority.
Also the Common Council of the City of London, if in the area of the Authority.	

- (3) Except as provided by an order under the following provisions of this section, each joint consultative committee shall represent one or more Area Health Authorities together with one or more of the authorities in column 2 of the Table above, and an Area Health Authority shall be represented together with each of the authorities associated with that Authority in column 2 of the said Table in one or other of the committees (but not necessarily the same committee).
- (4) The Secretary of State shall have power by order to provide for any matter relating to joint consultative committees, and such an order may in particular—
- (a) provide for the way in which the provisions of subsections (2) and (3) of this section are to be carried out, or provide for varying the arrangements set out in those subsections;
  - (b) provide, where it appears to the Secretary of State appropriate, for an Area Health Authority to be represented on a joint consultative committee together with a local or other authority whose area is not within the area of the Area Health Authority ;
  - (c) afford a choice to any authorities as to the number of joint consultative committees on which they are to be represented, and provide for the case where the authorities cannot agree on the choice ;
  - (d) authorise or require a joint consultative committee to appoint any sub-committee or to join with another joint consultative committee or other joint consultative committees in appointing a joint sub-committee ;

- (e) authorise or require the appointment to a joint consultative committee, or to any sub-committee, of persons who are not members of the authorities represented by the joint consultative committee ;
  - (f) require the authorities represented on a joint consultative committee to defray the expenses of the committee, and of any sub-committee, in such shares as may be determined by or under the order, and provide for the way in which any dispute between those authorities concerning the expenses is to be resolved ; and
  - (g) require those authorities to make reports to the Secretary of State on the work of the joint consultative committee and of any sub-committee.
- (5) Before making an order under this section the Secretary of State shall consult with such associations of local authorities as appear to him to be concerned, and with any local authority with whom consultation appears to him to be desirable.
- (6) In this and the three next following sections " Health Authority" means a Regional or Area Health Authority or a special health authority.

## **11 Supply of goods and services by Secretary of State**

- (1) The Secretary of State may—
- (a) supply to local authorities, and to such public bodies or classes of public bodies as may be determined by the Secretary of State, any goods or materials of a kind used in the health service ;
  - (b) make available to local authorities, and to such bodies or classes of bodies as aforesaid, any facilities (including the use of any premises and the use of any vehicle, plant or apparatus) provided by him for any service under the Health Service Acts and the services of persons employed by the Secretary of State or by a Health Authority;
  - (c) carry out maintenance work in connection with any land or building for the maintenance of which a local authority is responsible.
- (2) The Secretary of State may supply or make available to persons providing general medical services, general dental services, general ophthalmic services or pharmaceutical services such goods, materials or other facilities as may be prescribed.
- (3) The Secretary of State shall make available to local authorities—
- (a) any services or other facilities (excluding the services of any person but including goods or materials, the use of any premises and the use of any vehicle, plant or apparatus) provided under the Health Service Acts ;
  - (b) the services provided as part of the health service by any person employed by the Secretary of State or a Health Authority; and
  - (c) the services of any medical practitioner, dental practitioner or nurse employed by the Secretary of State or a Health Authority otherwise than to provide services which are part of the health service,
- so far as is reasonably necessary and practicable to enable local authorities to discharge their functions relating to social services, education and public health.
- (4) It shall be the duty of the Secretary of State, before he makes the services of any officer of a Health Authority available in pursuance of subsection (1)(b) or subsection (3)(b) or (c) of this section, to consult the officer or a body recognised by the Secretary of State as representing the officer about the matter or to satisfy himself that the Health Authority has consulted the officer about the matter; but the Secretary of State shall

be entitled to disregard the preceding provisions of this subsection in a case where he considers it necessary to make the services of an officer available as aforesaid for the purpose of dealing temporarily with an emergency and has previously consulted such a body about the making available of services in an emergency.

- (5) For the purposes of subsection (1)(b) or subsection (3)(b) or (c) of this section the Secretary of State may give such directions to Health Authorities to make services of their officers available as he considers appropriate; and it shall be the duty of a Health Authority to comply with any such directions.
- (6) The powers conferred by this section may be exercised on such terms as may be agreed, including terms as to the making of payments to the Secretary of State, and such charges may be made by the Secretary of State in respect of services or facilities provided under subsection (3) of this section as may be agreed between the Secretary of State and the local authority or, in default of agreement, as may be determined by arbitration.
- (7) The Secretary of State may by order provide that, in relation to a vehicle which is made available by him in pursuance of this section and is used in accordance with the terms on which it is so made available, the Vehicles (Excise) Act 1971 and Part VI of the Road Traffic Act 1972 shall have effect with such modifications as are specified in the order.
- (8) Any power to supply goods or materials conferred by this section includes a power to purchase and store them and a power to make arrangements with third parties for the supply of the goods or materials by those third parties.
- (9) In subsection (1) of this section—
  - " maintenance work " includes minor renewals, minor improvements and minor extensions ; and
  - " public bodies " includes public bodies in Northern Ireland.

## **12 Supply of goods and services by local authorities**

- (1) In the Local Authorities (Goods and Services) Act 1970 (supply of goods or services to public bodies) the expression " public body " shall include any Health Authority and, so far as relates to his functions under the Health Service Acts, shall include the Secretary of State.

The preceding provisions of this subsection shall have effect as if made by an order under section 1(5) of the said Act of 1970 and accordingly may be varied or revoked by such an order.

- (2) Every local authority shall make available to Health Authorities acting in the area of the local authority the services of persons employed by the local authority for the purposes of the authority's functions under the Local Authorities Social Services Act 1970 so far as is reasonably necessary and practicable to enable Health Authorities to discharge their functions under the Health Service Acts.
- (3) Such charges may be made by a local authority for acting under the preceding subsection as may be agreed between the local authority and the Secretary of State or, in default of agreement, as may be determined by arbitration.

### **13 Voluntary organisations and other bodies**

- (1) The Secretary of State may, where he considers it appropriate, arrange with any person or body (including a voluntary organisation) for that person or body to provide, or assist in providing, any service under the Health Service Acts.
- (2) The Secretary of State may make available—
  - (a) to any person or body (including a voluntary organisation) carrying out any arrangements under the preceding subsection; or
  - (b) to any voluntary organisation eligible for assistance under section 64 or section 65 of the Health Services and Public Health Act 1968 (assistance made available by the Secretary of State or local authorities),  
any facilities (including goods or materials, or the use of any premises and the use of any vehicle, plant or apparatus) provided by him for any service under the Health Service Acts and, where anything is so made available, the services of persons employed by the Secretary of State or by a Health Authority in connection with it.
- (3) The powers conferred by this section may be exercised on such terms as may be agreed, including terms as to the making of payments by or to the Secretary of State, and any goods or materials may be made available either temporarily or permanently; and subsection (7) of section 11 of this Act shall have effect in relation to a vehicle made available in pursuance of this section as if for the reference to that section there were substituted a reference to this section.
- (4) Any power to supply goods or materials conferred by this section includes a power to purchase and store them and includes a power to make arrangements with third parties for the supply of goods or materials by those third parties.
- (5) In this section " voluntary organisation " means a body the activities of which are carried on otherwise than for profit, but does not include any public or local authority.