



National Health Service Act 1977

CHAPTER 49

NATIONAL HEALTH SERVICE ACT 1977

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SCHEDULE 1 — Additional Provisions as to the Medical and Dental Inspection and Treatment of Pupils

- 1 Without prejudice to the Secretary of State's powers apart from...
- 2 A local education authority shall not arrange in pursuance of...
- 3 It is the duty of the local education authorities by...
- 4 In paragraph (a) of section 5(1) above, and in this...

SCHEDULE 2 — Additional Provisions as to Vehicles for Those Suffering Disability

- 1 The Secretary of State has power, in the case of...
- 2 The Secretary of State may, on such terms and subject...
- 3 Regulations may provide for any incidental or supplementary matter for...
- 4 In paragraph (a) of section 5(2) above, and in this...

SCHEDULE 3 — Public Health Laboratory Service board

PART I — CONSTITUTION OF THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 1 The Public Health Laboratory Service Board shall be a body...
- 2 The Board may accept, hold and administer property on trust...
- 3 The Board shall consist of a chairman appointed by the...
- 4 Subject to paragraph 5 below members shall be appointed for...
- 5 Any member appointed to fill a casual vacancy shall be...
- 6 A member may at any time resign his office.
- 7 A person who is or has been a member of...
- 8 The Board may elect a deputy chairman and may appoint...
- 9 The proceedings of the Board or any committee appointed by...
- 10 The Board and, subject to any directions of the Board,...

PART II — ADDITIONAL PROVISIONS AS TO THE PUBLIC HEALTH LABORATORY SERVICE BOARD

- 11 The Board may appoint such officers and servants, on such...
- 12 The Board may pay to its members and to the...
- 13 The Board shall exercise their functions in accordance with any...
- 14 The Secretary of State shall pay to the Board, out...
- 15 Any sums received by the Board (otherwise than in exercise...
- 16 The Board shall keep proper accounts and other records in...
- 17 The Board shall prepare and transmit to the Secretary of...
- 18 The Secretary of State shall transmit these statements of accounts...

SCHEDULE 4 — Central Health Services Council and Advisory Committees

Constitution of Central Council

- 1 (1) The number of members of the Central Council shall...

Supplementary provisions

- 2 Regulations may make provision with respect to the appointment, tenure...
- 3 The Secretary of State shall appoint a secretary to the...
- 4 The Central Council may appoint such committees, and any standing...
- 5 The Central Council and any standing advisory committee shall elect...
- 6 The proceedings of the Central Council or of any standing...

SCHEDULE 5 — Regional and Area Health Authorities, Family Practitioner Committees, and Special Health Authorities

PART I — MEMBERSHIP OF REGIONAL AND AREA HEALTH AUTHORITIES

Regional Health Authorities

- 1 (1) A Regional Health Authority shall consist of a chairman...

Area Health Authorities

- 2 (1) Subject to paragraph 4 below, an Area Health Authority...
- 3 Paragraph 2 above applies to an Area Health Authority for...
- 4 The members of an Area Health Authority (Teaching) shall, in...

Supplemental

- 5 (1) For the purposes of paragraphs 2 to 4 above—...

PART II — MEMBERSHIP OF FAMILY PRACTITIONER COMMITTEES

6 (1) Subject to paragraph 7 below, a Family Practitioner Committee...

7 (1) If it appears to the Secretary of State that,...

PART III — SUPPLEMENTARY PROVISIONS

Corporate status

8 Each Regional Health Authority, Area Health Authority, special health authority...

Pay and allowances

9 (1) The Secretary of State may pay to the chairman...

Staff

10 (1) An authority other than a Family Practitioner Committee may...

11 (1) It shall be the duty of the Secretary of...

Miscellaneous

12 Provision may be made by regulations as to—

13 An authority may pay subscriptions, of such amounts as the...

14 The proceedings of an authority shall not be invalidated by...

15 (1) An authority shall, notwithstanding that it is exercising any...

16 Provision may be made by regulations with respect to the...

SCHEDULE 6 — Additional Provisions as to Local Advisory Committees

1 (1) Where the Secretary of State is satisfied that a...

2 The Secretary of State may, by notice in writing served...

3 It is the duty of any duly recognised committee for...

4 It is the duty of a committee duly recognised by...

5 An Authority may defray such expenses incurred by a committee...

SCHEDULE 7 — Additional Provisions as to Community Health Councils

1 It is the duty of a Community Health Council (in...

2 Regulations may provide as to— (a) the membership of Councils...

3 It is the Secretary of State's duty to exercise his...

4 Nothing in paragraph 3 above affects the validity of anything...

5 The Secretary of State may by regulations—

6 The Secretary of State may pay to members of Councils...

7 In this Schedule— " local authority " means the council...

SCHEDULE 8 — Local Social Services Authorities

Care of mothers and young children

1 (1) A local social services authority may, with the Secretary...

Prevention, care and after-care

2 (1) A local social services authority may, with the Secretary...

Home help and laundry facilities

3 (1) It is the duty of every local social services...

SCHEDULE 9 — Tribunal for Purposes of Section 46

Constitution of Tribunal

- 1 The Tribunal shall consist of a chairman and two other...
- 2 The chairman shall be a practising barrister or solicitor of...
- 3 One of the other members shall be a person appointed...
- 4 The remaining member (referred to in paragraph 5 below as...
- 5 If any member of the Tribunal is unable to act...

Supplementary

- 6 Regulations may provide for the appointment, tenure of office and...

SCHEDULE 10 — Additional Provisions as to Prohibition of Sale of Medical Practices

Prohibition, and certificate of Medical Practices Committee

- 1 (1) Any person who sells or buys the goodwill, or...

Certain transactions deemed sale of goodwill

- 2 (1) Where— (a) any medical practitioner or his personal representative...

SCHEDULE 11 — Additional Provisions as to the Control of Maximum Prices for Medical Supplies

Orders and directions

- 1 (1) Any power of making orders under section 57 above...

Notices, authorisations and proof of documents

- 2 (1) A notice to be served on any person for...

Territorial extent

- 3 So far as any provisions contained in or having effect...

False documents and false statements

- 4 (1) A person shall not, with intent to deceive—

Restrictions on disclosing information

- 5 No person who obtains any information by virtue of section...

Offences by corporations

- 6 Where an offence under this Schedule committed by a body...

Penalties

- 7 (1) If any person contravenes or fails to comply with...

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

Production of documents

- 8 (1) For the purposes— (a) of securing compliance with any...
9 (1) If a justice of the peace is satisfied, on...

Northern Ireland

- 10 (1) So far as the Secretary of State's power under...

SCHEDULE 12 — Additional Provisions as to Regulations for the Making and Recovery of Charges

Regulations under section 77—charges for drugs, medicines or appliances, or pharmaceutical services

- 1 (1) No charge shall be made under section 77(1) above...

Regulations under section 78—charges for dental or optical appliances

- 2 (1) The dental and optical appliances mentioned in the first...

Regulations under section 79—charges for dental treatment

- 3 (1) The amount of the charge payable under section 79(1)...

Miscellaneous Provisions

- 4 For the purposes of paragraph (a) of section 5(1) above...
5 Regulations may provide for the remission or repayment of any...
6 For the purposes of sections 77 and 78 above and...
7 References in this Schedule to full-time education in a school...

SCHEDULE 13 — Additional Provisions as to the Health Service Commissioner for England and the Health Service Commissioner for Wales

PART I — PROCEDURAL AND OTHER PROVISIONS

Procedure in respect of investigations

- 1 Where the Commissioner proposes to conduct an investigation pursuant to...
2 Every such investigation shall be conducted in private, but except...
3 Without prejudice to the generality of paragraph 2 above, the...
4 The Commissioner may, if he thinks fit, pay to the...
5 The conduct of an investigation under Part V of this...
6 Where the person aggrieved has been removed from the United...

Evidence

- 7 For the purposes of an investigation under Part V of...
8 For the purposes of any such investigation the Commissioner shall...
9 No obligation to maintain secrecy or other restriction upon the...
10 No person shall be required or authorised by Part V...
11 Subject to paragraph 9 above, no person shall be compelled...

Obstruction and contempt

- 12 If any person without lawful excuse obstructs the Commissioner or...

- 13 Where an offence is certified under paragraph 12 above, the...
 14 Nothing in paragraphs 12 and 13 above shall be construed...

Secrecy of information

- 15 The Commissioner and his officers hold office under Her Majesty...
 16 Information obtained by the Commissioner or his officers in the...
 17 A Minister of the Crown may give notice in writing...
 18 Where a notice under paragraph 17 above is given nothing...

PART II

*Matters not subject to investigation by the Health Service Commissioner
 for England or the Health Service Commissioner for Wales*

- 19 The following matters are not subject to investigation by the...

SCHEDULE 14 — Transitional Provisions and Savings

General

- 1 (1) In so far as— (a) any agreement, appointment, apportionment,...
 2 Where any instrument or document refers either expressly or by...
 3 Where any period of time specified in an enactment repealed...

Medical schools in London

- 4 Notwithstanding the repeal by this Act of section 15 of...

Section 36 of the National Health Service Act 1946

- 5 Notwithstanding the repeal by this Act of section 36 of...

Local Acts and charters

- 6 (1) Where at the passing of the National Health Service...

Persons authorised to provide pharmaceutical services

- 7 (1) A person who for three years immediately before 16th...

Disqualification of practitioners

- 8 Where by virtue of section 42(8) of the National Health...

Definition of " local authority "

- 9 The definition of " local authority " in section 128(1) above...

Sections 3 and 4 of the Health Services and Public Health Act 1968

- 10 (1) Notwithstanding the repeal by this Act of section 3...

Vehicles under section 33 of the Health Services and Public Health Act 1968

- 11 The provision of vehicles as mentioned in section 33 of...

Prevention, care and after-care

- 12 Any arrangements made under section 28(1) of the National Health...

Saving of amendments

13 (1) Notwithstanding the repeal by this Act of section 76...

Transfers of property by voluntary organisations

14 Notwithstanding the repeal by this Act of section 23(2) of...

Mental Health Act 1959

15 (1) Any regulations under section 7 of the Mental Health...

The National Health Service Reorganisation Act 1973

16 (1) Nothing in this Act affects any remaining duty of...

Complaints in respect of preserved Boards or bodies abolished under section 14 of the National Health Service Reorganisation Act 1973

17 (1) Regulations may provide that where a relevant body within...

Permission deemed to have been granted under section 9(5) of the Health Services Act 1976

18 Where under any arrangements terminated by virtue of section 9(5)...

SCHEDULE 15 — Consequential Amendments

ACTS

The Midwives Act 1936 c.40

1 In section 2(3) of the Midwives Act 1936, the first...

The Education Act 1944 c.31

2 In section 48(4) of the Education Act 1944, for the...

The Education Act 1946 c.50

3 In paragraph (c) of section 4(2) of the Education Act...

The Polish Resettlement Act 1947 c.19

4 In section 4(1) of the Polish Resettlement Act 1947, for...

The National Assistance Act 1948 c.29

5 In paragraph (c) of section 21(7) of the National Assistance...

6 In paragraph (b) of section 29(6) of the National Assistance...

7 In section 47(8) of the National Assistance Act 1948, for...

The Law Reform (Personal Injuries) Act 1948 c.41

8 In section 2(4) of the Law Reform (Personal Injuries) Act...

The Children Act 1948 c.43

9 In section 59(1) of the Children Act 1948, in the...

The Nurseries and Child-Minders Regulation Act 1948 c.53

- 10 In section 13(1) of the Nurseries and Child-Minders Regulation Act...

The National Service Act 1948 c.64

- 11 In paragraph 3 of Schedule 1 to the National Service...

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 c.65

- 12 In Part I of Schedule 2 to the Reserve and...

The Landlord and Tenant Act 1954 c.56

- 13 In section 57(6) of the Landlord and Tenant Act 1954,...

The Medical Act 1956 c.76

- 14 (1) In section 16(1) of the Medical Act 1956, for...

The Nurses Act 1957 c. 15

- 15 In section 13(1) of the Nurses Act 1957, for the...
 16 In section 33(1) of the Nurses Act 1957, in the...
 17 In paragraph 3(e) of Schedule 1 to the Nurses Act...

The Dentists Act 1957 c. 28

- 18 In section 42(4) of the Dentists Act 1957, for the...

The Opticians Act 1958 c. 32

- 19 In paragraph (b) of section 21(2) of the Opticians Act...
 20 In section 30(1) of the Opticians Act 1958—

The Disabled Persons (Employment) Act 1958 c. 33

- 21 In section 3(2) of the Disabled Persons (Employment) Act 1958,...

The Public Records Act 1958 c. 51

- 22 In Part I of the Table in Schedule 1 to...

The Mental Health Act 1959 c. 72

- 23 In section 3(1) of the Mental Health Act 1959, for...
 24 (1) In subsection (1) of section 8 of the Mental...
 25 In section 9(1) of the Mental Health Act 1959, for...
 26 In section 28(3) of the Mental Health Act 1959, for...
 27 In section 41(3) of the Mental Health Act 1959, for...
 28 In section 59(1) of the Mental Health Act 1959, for...
 29 In paragraph (b) of section 128(1) of the Mental Health...
 30 In section 133(2) of the Mental Health Act 1959, for...
 31 In section 135(6) of the Mental Health Act 1959, for...
 32 In section 142(2) of the Mental Health Act 1959, for...
 33 In section 147(1) of the Mental Health Act 1959 (interpretation)—...
 34 In section 154(2) of the Mental Health Act 1959, for...

The Health Visiting and Social Work (Training) Act 1962 c.33

35 In sections 3(5) and 5(1) of the Health Visiting and...

The National Health Service Act 1966 c.8

36 In section 2(1) of the National Health Service Act 1966,...

37 In section 10 of the National Health Service Act 1966—...

The Building Control Act 1966 c.27

38 In paragraph (h) of section 5(1) of the Building Control...

The General Rate Act 1967 c.9

39 In paragraph (b) of section 45 of the General Rate...

The Superannuation (Miscellaneous Provisions) Act 1967 c.28

40 In section 7(1) of the Superannuation (Miscellaneous Provisions) Act 1967,...

The Abortion Act 1967 c.87

41 In section 6 of the Abortion Act 1967, for the...

The Leasehold Reform Act 1967 c.88

42 In paragraph (c) of section 28(6) of the Leasehold Reform...

The Health Services and Public Health Act 1968 c.46

43 In paragraph (b) of section 45(4) of the Health Services...

44 In section 59(2) of the Health Services and Public Health...

45 (1) In paragraph (b) of section 63(2) of the Health...

46 In section 64(3) of the Health Services and Public Health...

47 In section 65(3) of the Health Services and Public Health...

The Social Work (Scotland) Act 1968 c.49

48 In section 86(3) of the Social Work (Scotland) Act 1968,...

The Medicines Act 1968 c.67

49 In section 131(5) of the Medicines Act 1968, for the...

50 In section 132(1) of the Medicines Act 1968, in the...

The Local Authority Social Services Act 1970 c.42

51 In Schedule 1 of the Local Authority Social Services Act...

The Vehicles (Excise) Act 1971 c.10

52 In paragraph (b) of section 7(2) of the Vehicles (Excise)...

The Tribunals and Inquiries Act 1971 c.62

53 In Part I of Schedule 1 to the Tribunals and...

The Finance Act 1971 c.68

- 54 In section 7 of the Finance Act 1971, for the...
55 In paragraph 1(1) of Schedule 13 to the Finance Act...

The Road Traffic Act 1972 c.20

- 56 In paragraph (a) of section 156(1) of the Road Traffic...

The Finance Act 1972 c.41

- 57 In section 70 of the Finance Act 1972 for the...

The National Health Service Reorganisation Act 1973 c.32

- 58 In section 14(2) of the National Health Service Reorganisation Act...
59 In section 15 of the National Health Service Reorganisation Act...

The Local Government Act 1974 c.7

- 60 In paragraph (b) of section 29(5) of the Local Government...
61 In section 33 of the Local Government Act 1974—

The Trade Union and Labour Relations Act 1974 c.52

- 62 In paragraph (a) of section 30(2) of the Trade Union...

The Social Security Act 1975 c.14

- 63 In paragraph (a) of section 35(6) of the Social Security...
64 In paragraph (a) of section 37A(6) of the Social Security...

The House of Commons Disqualification Act 1975 c.24

- 65 In Part II of Schedule 1 to the House of...

The Nursing Homes Act 1975 c.37

- 66 In section 2(3) of the Nursing Homes Act 1975—

The Child Benefit Act 1975 c.61

- 67 In paragraph (c) of section 3(3) of the Child Benefit...

The Health Services Act 1976 c.83

- 68 In section 2(1) of the Health Services Act 1976, for...
69 In section 13(2) of the Health Services Act 1976—
70 In section 14(5) of the Health Services Act 1976, for...

The Social Security (Miscellaneous Provisions) Act 1977 c.5

- 71 In paragraph (a) of section 13(3) of the Social Security...

ORDER

*The Health and Personal Social Services (Northern
Ireland) Order 1972 S.I. 1972/1265 (N.I. 14)*

72 In paragraph 7 of Schedule 11 to the Health and...

SCHEDULE 16 — Repeals

TABLE OF — Showing the Derivations of the Provisions of the Bill
DERIVATIONS

1 NOTES:—

2 The Table does not acknowledge the transfer by the Secretary...