



National Health Service Act 1977

1977 CHAPTER 49

PART VI

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

123 Persons displaced by health service development.

- (1) Where the carrying out of a scheme for the provision by the Secretary of State in pursuance of this Act of hospital accommodation or other facilities will involve the displacement from any premises of persons residing in them, the Secretary of State may make arrangements with one or more of the following bodies—
- [^{F1}(a) a local housing authority within the meaning of the ^{M1}Housing Act 1985,
 - (b) a housing association or housing trust within the meaning of the ^{M2}Housing Associations Act 1985,]
 - (d) a development corporation established under the [^{F2M3}New Towns Act 1981] and
 - (e) the Commission for the New Towns,
- for securing, in so far as it appears to him that there is no other residential accommodation suitable for the reasonable requirements of those persons available on reasonable terms, the provision of residential accommodation in advance of the displacement from time to time becoming necessary as the carrying out of the scheme proceeds.
- (2) Arrangements under subsection (1) above may include provision for making by the Secretary of State to the body with whom the arrangements are made of payments of such amounts and for such purposes as may be approved by the Treasury.

Textual Amendments

- F1** S. 123(1)(a)(b) substituted for s. 123(1)(a)–(c) by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 38\(4\)](#)

Status: Point in time view as at 01/10/2002.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to National Health Service Act 1977. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

F2 Words substituted by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), s. 81, [Sch. 12 para. 26](#)

Marginal Citations

M1 [1985 c. 68\(61\)](#).

M2 [1985 c. 69\(61\)](#).

M3 [1981 c. 64\(123:3\)](#).

124 Special notices of births and deaths.

- (1) The requirements of this section with respect to the notification of births and deaths are in addition to, and not in substitution for, the requirements of any Act relating to the registration of births and deaths.
- (2) It is the duty of each registrar of births and deaths to furnish, to the [^{F3}Primary Care Trust or][^{F4}Health Authority the area of which includes] the whole or part of the registrar's sub-district, such particulars of each birth and death which occurred in the [^{F4}[^{F5}area of the Primary Care Trust or Health Authority] as are entered] in a register of births or deaths kept for that sub-district.
- (3) Regulations may provide as to the manner in which and the times at which particulars are to be furnished in pursuance of subsection (2) above.
- (4) In the case of every child born, it is the duty—
 - (a) of the child's father, if at the time of the birth he is actually residing on the premises where the birth takes place, and
 - (b) of any person in attendance upon the mother at the time of, or within six hours after, the birth,
 to give notice of the birth (as provided in subsection (5) below) to the [^{F3}Primary Care Trust or][^{F6}Health Authority for the area] in which the birth takes place.

 This subsection applies to any child which has issued forth from its mother after the expiry of the twenty-eighth week of pregnancy whether alive or dead.
- (5) Notice under subsection (4) above shall be given either—
 - (a) by posting within 36 hours after the birth a prepaid letter or postcard addressed to the [^{F3}Primary Care Trust or][^{F7}Health Authority at their offices] and containing the required information, or
 - (b) by delivering within that period at [^{F7}the [^{F8}offices of the Primary Care Trust or of the Health Authority]] a written notice containing the required information, and [^{F7}a [^{F3}Primary Care Trust or] Health Authority] shall, upon application to them, supply without charge to any medical practitioner or midwife residing or practising within their area [^{F9} or district] prepaid addressed envelopes together with the forms of notice.
- (6) Any person who fails to give notice of a birth in accordance with subsection (4) above is liable on summary conviction to a fine not exceeding [^{F10}level 1 on the standard scale], unless he satisfies the court that he believed, and had reasonable grounds for believing, that notice had been duly given by some other person.

Proceedings in respect of this offence shall not, without the Attorney-General's written consent, be taken by any person other than a party aggrieved or the [^{F3}Primary Care Trust or][^{F11}Health Authority] concerned.

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- (7) A registrar of births and deaths shall, for the purpose of obtaining information concerning births which have occurred in his sub-district, have access at all reasonable times to notices of births received by a [^{F3}Primary Care Trust or][^{F12}Health Authority] under this section, or to any book in which those notices may be recorded.

Textual Amendments

- F3** Words in s. 124 inserted (1.10.2002) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), ss. 2(5), 42(3), [Sch. 2 Pt. 1 para. 36\(2\)](#); S.I. 2002/2478, [art. 3\(1\)\(d\)](#)
- F4** Words in s. 124(2) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. 1 para. 55\(a\)](#) (with Sch. 2 para. 6)
- F5** Words in s. 124(2) substituted (1.10.2002) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), ss. 2(5), 42(3), [Sch. 2 Pt. 1 para. 36\(3\)](#); S.I. 2002/2478, [art. 3\(1\)\(d\)](#)
- F6** Words in s. 124(4) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. 1 para. 55\(b\)](#) (with Sch. 2 para. 6)
- F7** Words in s. 124(5) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. 1 para. 55\(c\)](#) (with Sch. 2 para. 6)
- F8** Words in s. 124(5) substituted (1.10.2002) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\)](#), ss. 2(5), 42(3), [Sch. 2 Pt. 1 para. 36\(4\)](#); S.I. 2002/2478, [art. 3\(1\)\(d\)](#)
- F9** Words in s. 124(5) repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), [Sch. 3](#) (with Sch. 2 para. 6)
- F10** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)
- F11** Words in s. 124(6) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. 1 para. 55\(d\)](#) (with Sch. 2 para. 6)
- F12** Words in s. 124(7) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), [Sch. 1 Pt. 1 para. 55\(e\)](#) (with Sch. 2 para. 6)

[^{F13}124A] Provision of information by Registrar General.

- (1) The Registrar General may provide to the Secretary of State any information to which this section applies.
- (2) Any information provided under subsection (1) above shall be provided in such form as appears to the Registrar General appropriate for the purpose of assisting the Secretary of State in the performance of his functions in relation to the health service.
- (3) This section applies to any information—
- entered in any register kept under the ^{M4}Births and Deaths Registration Act 1953; or
 - which is kept by the Registrar General under any other enactment and relates to any birth or death.
- (4) In subsection (3) above, “enactment” includes an enactment contained in subordinate legislation.]

Textual Amendments

- F13** S. 124A inserted (1.10.1999) by 1999 c. 8, [s. 42](#); S.I. 1999/2540, [art. 2\(1\)\(b\)](#), [Sch. 1](#)

Marginal Citations

- M4** 1953 c.20.

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125 Protection of members and officers of authorities.

Section 265 of the ^{M5}Public Health Act 1875 (which relates to the protection of members and officers of certain authorities) has effect as if there were included in the authorities referred to in that section—

- [^{F14}(za) a Strategic Health Authority;]
- [^{F15}(a) a Health Authority,
- (b) a Special Health Authority, and
- (c) an NHS trust,]

and as if any reference in that section to the Public Health Act 1875 included a reference to this Act [^{F16}and the National Health Service and Community Care Act 1990].

Textual Amendments

- F14** S. 125(za) inserted (1.10.2002) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), ss. 1(3), 42(3), **Sch. 1 Pt. 1 para. 31**; S.I. 2002/2478, **art. 3(1)(c)**
- F15** S. 125(a)-(c) substituted (28.6.1995 for certain purposes and otherwise 1.4.1996) for s. 125(a)-(d) by 1995 c. 17, ss. 2(1)(3), 8(1), **Sch. 1 Pt. 1 para. 56** (with Sch. 2 para. 6)
- F16** Words added by National Health Service and Community Care Act 1990 (c. 19, SIF 113:2), s. 5(8), **Sch. 2 para. 25(b)**

Modifications etc. (not altering text)

- C1** s. 125 excluded by National Health Service (Amendment) Act 1986 (c. 66, SIF 113:2), **ss. 1(6)(8), 2(3)(4)**

Marginal Citations

- M5** 1875 c. 55(100:1).

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