
Changes to legislation: Health And Social Services And Social Security Adjudications Act 1983, SCHEDULE 9 is up to date with all changes known to be in force on or before 23 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 9

Section 29.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

MISCELLANEOUS AMENDMENTS

[^{F1} Public Health Act 1936 (c. 49)

Textual Amendments

- F1** Sch. 9 para. 1 repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, [Sch. 3](#)

- 1 So much of subsections (3) and (4) of section 143 of the Public Health Act 1936 (regulations for prevention and treatment of infectious disease etc.) as relates to the enforcement and execution of regulations under that section by officers and men employed in the coastguard shall cease to have effect.]

Public Health (Scotland) Act 1945 (c. 15)

- 2 (1) In subsections (3) and (4) of section 1 of the Public Health (Scotland) Act 1945 (regulations for prevention and treatment of infectious diseases etc.) the words “and officers and men employed in the coastguard” shall be omitted wherever they occur.
- (2) In the proviso to subsection (3) of that section, for the words “officer, or person” there shall be substituted the words “or officer”.
- (3) In section (4) of that section after the word “Board” there shall be inserted the word “or”.

National Assistance Act 1948 (c. 29)

- 3 The following section shall be inserted after section 30 of the National Assistance Act 1948—

“30A Research.

Without prejudice to any powers conferred on them by any other Act,—

- (a) the Secretary of State may promote research into any matter relating to the functions of local authorities under this Part of this Act, and, in particular, may participate with or assist other persons in conducting such research; and

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(b) a local authority may conduct or assist other persons in conducting research into any matter relating to the functions of local authorities under this Part of this Act.”

[^{F24} In section 41(2)(a) of the National Assistance Act 1948 (registration of charities for disabled persons) for the words “the Residential Homes Act 1980” there shall be substituted the words “Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Textual Amendments
F2 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

^{F3} *Nurseries and Child-Minders Regulation Act 1948 (c. 53)*

Textual Amendments
F3 Sch. 2 paras. 50, 60–62, Sch. 4 Pt. II paras. 45–48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

[^{F45} In subsection (3) of section 3 of the Nurseries and Child-Minders Regulation Act 1948 (by virtue of which a local social services authority are required to issue a copy of a certificate under that section which has been lost or destroyed on payment of a fee not exceeding 25p) for the words from “fee” to “authority”, in the third place where it occurs, there shall be substituted the words “reasonable fee as they”.]

Textual Amendments
F4 Sch. 2 paras. 50, 60-62, Sch. 4 Pt. II paras. 45-48 and Sch. 9 para. 5 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); [S.I. 1991/828](#), [art. 3\(2\)](#)

[^{F5} *Mental Health Act 1959 (c. 72)*

Textual Amendments
F5 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

6 In section 128(1)(b) of the Mental Health Act 1959 (sexual intercourse with patients) for the words from “home” to the end of the subsection there shall be substituted the words “care home within the meaning of Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

^{F67}

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Textual Amendments

F6 Sch. 9 Pt. I para. 7 repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), **Sch. 3** (with Sch. 2 paras. 6, 16)

Social Work (Scotland) Act 1968 (c. 49)

8 In section 10 of the Social Work (Scotland) Act 1968 (financial assistance to voluntary organisations), in subsection (5)—

- (a) the word “section” shall be substituted for the words “sections 64 and”; and
- (b) after the word “1968” there shall be inserted the words “and section 16B of the National Health Service (Scotland) Act 1978”.

[^{F7} Local Authority Social Services Act 1970 (c. 7)

Textual Amendments

F7 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 3**

9 At the end of Schedule 1 to the Local Authority Social Services Act 1970 (which specifies the enactments conferring functions assigned to the social services committee of a local authority), there shall be inserted the following entry—

“Registration of residential care homes.”.]

Tribunals and Inquiries Act 1971 (c. 62)

^{F8}10

Textual Amendments

F8 Sch. 9 Pt. I para. 10 repealed (1.10.1992) by Tribunals And Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), **Sch. 4 Pt. I**.

^{F9}11

Textual Amendments

F9 Sch. 9 Pt. I para. 11 repealed (1.10.1992) by Tribunals And Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), **Sch. 4 Pt. I**.

^{F10}12 The following paragraph shall be substituted for paragraph 4 of Schedule 1 to that Act—

“ Registration of voluntary homes under Child Care Act 1980 and children’s homes under Children’s Homes Act 1982.

4 Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”.]

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Textual Amendments

F10 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

13 The following paragraph shall be inserted after paragraph 21 of that Schedule—

Nursing Homes and Mental Nursing Homes Registration.

“21A Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”

14 The following paragraph shall be inserted after paragraph 28 of that Schedule—

Residential Care Homes Registration

“28A Registered Homes Tribunals constituted under Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983.”

^{F11}15

Textual Amendments

F11 Sch. 9 Pt. I para. 15 repealed (1.10.1992) by [Tribunals And Inquiries Act 1992 \(c. 53\)](#), ss. 18(2), 19(2), [Sch. 4 Pt.I](#)

^{F12} Local Government Act 1972 (c. 70)

Textual Amendments

F12 Sch. 2 paras. 34, 37, 46–49, 51–59, Sch. 4 Pt. II paras. 38–43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

^{F13}16

Textual Amendments

F13 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 Pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(7), [Sch.15](#) (with s. 108(6), [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

Guardianship Act 1973 (c. 29)

^{F14}17

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Textual Amendments

F14 Sch. 2 paras. 34, 37, 46-49, 51-59, Sch. 4 pt. II paras. 38-43, Sch. 9 paras. 16 and 17 repealed (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), [s. 108](#)(7), Sch.15 (with s. 108(6), Sch. 14 paras. 1(1), 27(4)); [S.I. 1991/828](#), [art. 3\(2\)](#)

House of Commons Disqualification Act 1975 (c. 24)

18 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices) there shall be inserted in the appropriate place in alphabetical order—

“A member of a panel appointed under section 7 of the Tribunals and Inquiries Act 1971 of persons to act as Chairmen of Social Security Appeal Tribunals and Medical Appeal Tribunals.

The President of Social Security Appeal Tribunals and Medical Appeal Tribunals.

A regional or other fulltime Chairman of Social Security Appeal Tribunals and Medical Appeal Tribunals.”

Adoption Act 1976 (c. 36)

^{F15}19

Textual Amendments

F15 Sch. 9 para. 19 repealed (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), [s. 148\(1\)](#), [Sch. 5](#) (with [Sch. 4 paras. 2, 6-8](#)); [S.I. 2005/2897](#), [art. 2\(b\)](#)

20 ^{F16}

Textual Amendments

F16 Sch. 8 Pts. III, IV, Pt. V para. 18, Pt. VII para. 31(3) and Sch. 9 para. 20 repealed by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), [s. 86\(2\)](#), [Sch. 11](#)

National Health Service Act 1977 (c. 49)

^{F17}21

Textual Amendments

F17 Sch. 9 para. 21 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), [s. 8\(2\)](#), [Sch. 4](#) (with [Sch. 2 Pt. 1 Sch. 3 Pt. 1](#))

^{F18}22

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Textual Amendments

F18 Sch. 9 para. 22 repealed (E.W.) (1.3.2007 immediately before the National Health Service Act 2006 comes into force) by [The National Health Service \(Pre-consolidation Amendments\) Order 2006 \(S.I. 2006/1407\)](#), art. 1(1), [Sch. 2](#) (with art. 4)

^{F19}23

Textual Amendments

F19 Sch. 9 para. 23 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

National Health Service (Scotland) Act 1978 (c. 29)

24 In section 105(7) of the National Health Service (Scotland) Act 1978 (orders, regulations and directions) for the words “or orders” there shall be substituted the words “, orders or directions”.

Employment Protection (Consolidation) Act 1978 (c. 44)

^{F20}25

Textual Amendments

F20 Sch. 9 Pt. I para. 25 repealed (22.8.1996) by [1996 c. 18](#), ss. 242, 243, [Sch. 3 Pt. I](#) (with ss. 191, 195, 202)

^{F21} Foster Children Act 1980 (c. 6)

Textual Amendments

F21 Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by [Registered Homes Act 1984 \(c. 23, SIF 113:3\)](#), s. 57, [Sch. 3](#)

26 In subsection (5) of section 2 of the Foster Children Act 1980 (exceptions to meaning of foster child for purposes of Act) for the words from “home” to end of the section there shall be substituted the words “care home within the meaning of Part I of Schedule 4 to the Health and Social Services and Social Security Adjudications Act 1983”.]

Reserve Forces Act 1980 (c. 9)

27 The following paragraph shall be substituted for paragraph 2 of Schedule 2 to the Reserve Forces Act 1980 (army and air force pensioners and other former soldiers are not liable to be recalled for service)—

“2 A person who is receiving treatment for mental disorder as an inpatient in any establishment in the United Kingdom and is under the supervision of a registered medical practitioner.”.

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Overseas Development and Cooperation Act 1980 (c. 63)

^{F22}28

Textual Amendments

F22 Sch. 9 Pt. I para. 28 repealed (1.4.1996) by 1995 c. 17, s. 5(1)(2), **Sch. 3** (with Sch. 2 paras. 6, 16)

PART II

MEALS AND RECREATION FOR OLD PEOPLE

- 1 A district council [^{F23}or Welsh county council or county borough council] shall have power to make such arrangements as they may from time to time determine for providing meals and recreation for old people in their homes or elsewhere and may employ as their agent for the purpose of this paragraph any voluntary organisation whose activities consist in or include the provision of meals or recreation for old people.

Textual Amendments

F23 Words in Sch. 9 Pt. II para. 1 inserted (1.4.1996) by 1994 c. 19, s. 22(4), **Sch. 10 para. 12(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

- 2 A district council [^{F24}or Welsh county council or county borough council] may assist any such organisation as is referred to in paragraph 1 above to provide meals or recreation for old people—
- (a) by contributing to the funds of the organisation;
 - (b) by permitting them to use premises belonging to the council on such terms as may be agreed; and
 - (c) by making available furniture, vehicles or equipment (whether by way of gift or loan or otherwise) and the services of any staff who are employed by the council in connection with the premises or other things which they permit the organisation to use.

Textual Amendments

F24 Words in Sch. 9 Pt. II para. 2 inserted (1.4.1996) by 1994 c. 19, s. 22(4), **Sch. 10 para. 12(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

- 3 (1) District councils [^{F25}or Welsh county councils or county borough councils] shall exercise their functions under this Part of this Schedule (including any discretion conferred on them under it) in accordance with the provisions of any regulations of the Secretary of State made for the purposes of this paragraph; and without prejudice to the generality of this paragraph, regulations under this paragraph—
- (a) may provide for conferring on officers of the Secretary of State authorised under the regulations such powers of inspection as may be prescribed in relation to the exercise of functions under this Part of this Schedule by or by arrangement with or on behalf of district councils [^{F25}or Welsh county councils or county borough councils]; and

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- (b) may make provision with respect to the qualifications of officers employed by district councils [^{F25}or Welsh county councils or county borough councils] for the purposes of this Part of this Schedule or by voluntary organisations acting under arrangements with or on behalf of district councils [^{F25}or Welsh county councils or county borough councils] for those purposes.
- (2) The power to make regulations under this paragraph shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F25 Words in Sch. 9 Pt. II para. 3 inserted (1.4.1996) by 1994 c. 19, s. 22(4), **Sch. 10 para. 12(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

- 4 In this Part of this Schedule—
- “functions” includes powers and duties; and
 - “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.

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Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/288 art. 2-6](#) commences (2003 c. 43)
- [S.I. 2004/480 art. 2-5](#) commences (2003 c. 43)
- [S.I. 2004/1009 art. 2](#) commences (2003 c. 43)
- [S.I. 2004/1019 art. 2](#) commences (2003 c. 43)
- [S.I. 2005/2897 art. 2](#) commences (2002 c. 38)
- [S.I. 2005/2925 art. 24-11](#) commences (2003 c. 43)
- [S.I. 2006/345 art. 2-7](#) commences (2003 c. 43)
- [S.I. 2009/3074 art. 23](#) commences (2008 c. 4)
- [S.I. 2011/849 art. 2](#) commences (2010 nawm 2)
- [S.S.I. 2009/267 art. 2](#) commences (2007 asp 4)