



Health Act 2006

2006 CHAPTER 28

PART 6

MISCELLANEOUS

Social care bursary

72 Exercise by Special Health Authority of social care training functions

After section 67 of the Care Standards Act 2000 (c. 14) insert—

“67A Exercise by Special Health Authority of functions under s. 67(4)(a)

- (1) The Secretary of State may direct a Special Health Authority to exercise such of his functions under section 67(4)(a) as may be specified in the directions.
- (2) If the Secretary of State gives a direction under subsection (1), the National Health Service Act 2006 shall have effect as if—
 - (a) the direction were a direction of the Secretary of State under section 7 of that Act, and
 - (b) the functions were exercisable by the Special Health Authority under section 7.
- (3) Directions under subsection (1)—
 - (a) shall be given by an instrument in writing, and
 - (b) may be varied or revoked by subsequent directions.”

Changes to legislation: There are currently no known outstanding effects for the Health Act 2006, Part 6. (See end of Document for details)

NHS costs recovery

73 NHS costs recovery

In section 153 of the 2003 Act (information contained in certificates relating to recovery of NHS charges in cases of injury requiring NHS services), for subsection (9) substitute—

“(9) For the purposes of subsection (10), a claim made by or on behalf of an injured person is a qualifying claim if—

- (a) it does not fall within subsection (3) or within any other description of claim specified in regulations, and
- (b) it is settled, and the damages payable under the settlement are to be reduced to reflect the injured person's share in the responsibility for the injury in question.”

Commencement Information

- I1** [S. 73](#) in force at 29.1.2007 for S. in so far as not already in force by [S.S.I. 2007/9](#), **art. 2(a)**
- I2** [S. 73](#) in force at 29.1.2007 except in so far as it extends to S. by [S.I. 2006/3125](#), **art. 4**

Transfer of criminal liabilities

^{F3}74 Transfer of criminal liabilities of certain NHS bodies

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Textual Amendments

- F3** S. 74 repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), **Sch. 4** (with [Sch. 2 Pt. 1](#) [Sch. 3 Pt. 1](#))

Local Health Boards and Welsh health authorities

75 Amendments relating to Local Health Boards and abolition of Welsh health authorities

- (1) The Secretary of State or the Assembly may by order make such amendments of any enactment as he or it considers appropriate—
 - (a) in order to reflect the fact that (by virtue of relevant directions) transferred functions may be exercised by Local Health Boards, or
 - (b) otherwise in consequence of, or in connection with, the abolition of Welsh health authorities effected under section 27(5) of the Government of Wales Act 1998 (c. 38).
- (2) Where a transferred function which became exercisable by a Local Health Board by virtue of relevant directions ceases to be so exercisable, the Secretary of State or the Assembly may by order—

Changes to legislation: There are currently no known outstanding effects for the Health Act 2006, Part 6. (See end of Document for details)

- (a) substitute for any reference to a Local Health Board in any enactment relating to the function a reference to the Assembly, and
 - (b) make such amendments of any enactment as he or it considers appropriate in consequence of any such substitution.
- (3) No order may be made under subsection (1)(a) in relation to a transferred function on or after the date on which subsection (4) applies to the function.
- (4) This subsection applies to a transferred function on the date when either of the following comes into force in relation to the function—
 - (a) an order made under subsection (1)(b) which amends an enactment so as to provide for the function to be exercisable only by the Assembly, or
 - (b) an order made under subsection (2).
- (5) In this section—
 - “amendments” includes repeals, revocations and modifications;
 - “the Assembly” means the National Assembly for Wales;
 - “relevant directions” means directions given in regulations made under section 16BB of the National Health Service Act 1977 (c. 49) [^{F4}or section 12 of the National Health Service (Wales) Act 2006];
 - “transferred function” means a function transferred to the Assembly by the Health Authorities (Transfer of Functions, Staff, Property, Rights and Liabilities and Abolition) (Wales) Order 2003 (S.I. 2003/813 (W. 98));
 - “Welsh health authority” means a Health Authority for an area in, or consisting of, Wales.

Textual Amendments

- F4** Words in s. 75(5) inserted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006](#) (c. 43), s. 8(2), [Sch. 1 para. 288](#) (with Sch. 3 Pt. 1)

Changes to legislation:

There are currently no known outstanding effects for the Health Act 2006, Part 6.