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STATUTORY INSTRUMENTS

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1982 No. 288

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Health Services Act 1980  
(Consequential Amendments) Order 1982**

<i>Made</i>	- - - - -	<i>3rd March</i> 1982
<i>Laid before Parliament</i>		<i>10th March</i> 1982
<i>Coming into Operation</i>		<i>1st April</i> 1982

The Secretary of State for Social Services, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of powers conferred by section 1(8) of the Health Services Act 1980(a), and of all other powers enabling them in that behalf, hereby make the following order:—

*Citation and commencement*

1. This Order may be cited as the Health Services Act 1980 (Consequential Amendments) Order 1982 and shall come into operation on 1st April 1982.

*Amendment to instruments*

2. The modification of instruments set out in Schedule 1 hereto shall have effect.

*Transitional modifications*

3. The modifications of enactments and instruments for which provision is made in Schedule 2 hereto shall have effect.

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(a) 1980 c. 53.

2nd March 1982.

*Norman Fowler,*  
Secretary of State for Social Services.

3rd March 1982.

*Nicholas Edwards,*  
Secretary of State for Wales.

Article 2

SCHEDULE 1

*The Mental Health Review Tribunal Rules 1960*

1. In the Mental Health Review Tribunal Rules 1960(a)—
- (a) in rule 7(d) for the word “Area” there shall be substituted the word “District”;
  - (b) in rule 8(2)(c) for the word “Area” there shall be substituted the word “District”;
  - (c) in paragraph 7 of Schedule 2 for the word “Area” there shall be substituted the word “District”;
  - (d) in paragraph 2(d) of Schedule 3 for the word “Area” there shall be substituted the word “District”.

*The Mental Health (Hospital and Guardianship) Regulations 1960*

2. In the Mental Health (Hospital and Guardianship) Regulations 1960(b)—
- (a) in regulation 13(2) for the word “Area” there shall be substituted the word “District”;
  - (b) in regulation 21(1) for the word “Area” there shall be substituted the word “District”;
  - (c) in the Schedule the word “Area” shall be deleted in each place where it occurs in the forms numbered 3A, 3B, 5A, 5B, 8A, 8B, 20A and 20B.

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(a) S.I. 1960/1139; the relevant amending instruments are S.I. 1974/241, 1976/447.

(b) S.I. 1960/1241; the relevant amending instruments are S.I. 1962/1593, 1974/241, 1975/1337.

*The Public Health (Infectious Diseases) Regulations 1968***3. In the Public Health (Infectious Diseases) Regulations 1968(a)—**

(a) in regulation 2(1) for the definitions of “Area Health Authority” and “appropriate Area Health Authority” there shall be substituted the following definitions—

““District Health Authority” means a District Health Authority established under section 8(1) of the National Health Service Act 1977;

“appropriate District Health Authority” means the District Health Authority within which a district of a local authority or a part health district is wholly or partly situated;”;

(b) in regulations 6(2) and 7(1) and (2) for the words “the area medical officer of the appropriate Area Health Authority” there shall be substituted the words “the district medical officer of the appropriate District Health Authority”.

*The National Health Service (Regional and Area Health Authorities: Membership and Procedure) Regulations 1973***4. In the National Health Service (Regional and Area Health Authorities: Membership and Procedure) Regulations 1973(b)—**

(a) in the definition of “Authority” for the word “Area” there shall be substituted the word “District”;

(b) in the definition of “health authority” for the word “Area” there shall be substituted the word “District”.

*The National Health Service (General Dental Services) Regulations 1973***5. In the National Health Service (General Dental Services) Regulations 1973(c)—**

(a) in regulation 2(1)—

(i) for the definition “area” there shall be substituted the following definition—

“area” means in relation to a Committee the district or combined districts for which the Committee is established or adopted;”;

(ii) for the definition “Authority” there shall be substituted—

“Authority” means a Regional Health Authority, a District Health Authority or District Health Authorities acting jointly as the case may require;”;

(b) in regulation 3 after the words “the Act” and “the National Health Service Reorganisation Act 1973” there shall be inserted the words “or section 2(4) of the Health Services Act 1980”;

(c) in regulation 4(4)(b)—

(i) for the word “Area” there shall be substituted the word “District”;

(a) S.I. 1968/1366; the relevant amending instrument is S.I. 1974/274.

(b) S.I. 1973/1286, to which there are amendments not relevant to this Order.

(c) S.I. 1973/1468; the relevant amending instrument is S.I. 1974/53.

- (ii) after the word "Authority" there shall be inserted the words "or Authorities";
- (iii) after the word "established" there shall be inserted the words "or adopted".

*The Welsh Health Technical Services Organisation (Establishment and Constitution) Order 1973*

**6.** In the Welsh Health Technical Services Organisation (Establishment and Constitution) Order 1973(a)—

- (a) in regulation 2(1) in the definition of "health authority" for the words "an Area" there shall be substituted the words "a District";
- (b) in regulation 3(c) for the words "an Area" there shall be substituted the words "a District";
- (c) in regulation 4 for the word "Area" in both places where it occurs there shall be substituted the word "District"; and for the word "areas" in the two places where it occurs there shall be substituted the word "districts";
- (d) in regulation 13(2)(d) for the word "Area" there shall be substituted the word "District"; and for the word "areas" there shall be substituted the word "districts";
- (e) in regulation 14 for the words "an Area" there shall be substituted the words "a District".

*The National Health Service (Venereal Diseases) Regulations 1974*

**7.** In the National Health Service (Venereal Diseases) Regulations 1974(b) in regulation 2 for the words "Area Health Authority" there shall be substituted the words "District Health Authority".

*The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974*

**8.** In the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974(c)—

- (a) in regulation 2(1)—
  - (i) for the definition "area" there shall be substituted the following definition—
 

"area" means, in relation to a Committee, the district or combined districts for which the Committee is established or adopted;";
  - (ii) for the definition "Authority" there shall be substituted the following definition—
 

"Authority" means a District Health Authority or District Health Authorities acting jointly as the case may require;";

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(a) S.I. 1973/1624.

(b) S.I. 1974/29.

(c) S.I. 1974/160; the relevant amending instrument is S.I. 1975/719.

- (b) in regulation 3 and regulation 25 after the words “the Act” and “the National Health Service Reorganisation Act 1973” there shall be inserted the words “or section 2(4) of the Health Services Act 1980”;
- (c) in Part III of Schedule 1 and Parts II, III, IV, V and VI of Schedule 4 for the word “AREA” there shall be substituted the word “DISTRICT”.

*The National Health Service (Medical Examinations—Educationally Sub-normal Children) Regulations 1974*

9. In regulation 3 of the National Health Service (Medical Examinations—Educationally Sub-normal Children) Regulations 1974(a) for the word “Area” there shall be substituted the word “District”.

*The Health Authorities and Local Authorities Joint Consultative Committees Order 1974*

10. In the Health Authorities and Local Authorities Joint Consultative Committees Order 1974(b)—

- (a) in Article 2(1) the definition of “Area Authority” shall be omitted and after the definition of “Committee” there shall be inserted the following definition—
  - ““District Authority” means a District Health Authority;”;
- (b) in Article 3 for the word “Area” in both places where it occurs there shall be substituted the word “District”;
- (c) in Article 4 for the word “Area” in the four places where it occurs there shall be substituted the word “District”;
- (d) in Article 5 for the word “Area” in the three places where it occurs there shall be substituted the word “District”;
- (e) in Article 6 for the word “Area” in both places where it occurs there shall be substituted the word “District”;
- (f) in Article 8(2) for the word “Area” in both places where it occurs there shall be substituted the word “District”;
- (g) in Article 10 for the word “Area” there shall be substituted the word “District”;
- (h) in Article 11 for the word “Area” there shall be substituted the word “District”.

*The Nurses (Regional Nurse Training Committees) Order 1974*

11. In the Nurses (Regional Nurse Training Committees) Order 1974(c)—

- (a) in Article 4(1)(b) for the word “Area” there shall be substituted the word “District”;
- (b) in Article 4(2)(b) for the word “Area” there shall be substituted the word “District”;

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(a) S.I. 1974/183.  
 (b) S.I. 1974/190.  
 (c) S.I. 1974/235.

- (c) in Article 4(3)(d) for the word “Area” there shall be substituted the word “District”;
- (d) after Article 7 there shall be inserted the following Article—
  - “7A. Where members of a Committee in England or Wales are—
    - (a) in office on 1st April 1982; and
    - (b) were appointed by Area Health Authorities,they shall be deemed to have been appointed by District Health Authorities and shall continue to hold office for the remainder of the period for which they were appointed.”.

*The National Health Service (Charges for Appliances) Regulations 1974*

12. In regulation 2(1) of the National Health Service (Charges for Appliances) Regulations 1974(a), for the words “an Area Health Authority” there shall be substituted the words “a District Health Authority”.

*The National Health Service (General Ophthalmic Services) Regulations 1974*

13. In the National Health Service (General Ophthalmic Services) Regulations 1974(b)—

- (a) in regulation 2(1)—
  - (i) for the definition “area” there shall be substituted the following definition—
    - “area” means, in relation to a Committee, the district or combined districts for which the Committee is established or adopted;”;
  - (ii) for the definition “Authority” there shall be substituted the following definition—
    - “Authority” means a Regional Health Authority, a District Health Authority or District Health Authorities acting jointly as the case may require;”;
- (b) in regulation 11 after the words “the Act” and “the National Health Service Reorganisation Act 1973” there shall be inserted the words “or section 2(4) of the Health Services Act 1980”.

*The National Health Service (Remuneration and Conditions of Service) Regulations 1974*

14. In regulation 2(1) of the National Health Service (Remuneration and Conditions of Service) Regulations 1974(c), for the word “Area” there shall be substituted the word “District”.

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(a) S.I. 1974/284 to which there are amendments not relevant to this Order.  
(b) S.I. 1974/287, to which there are amendments not relevant to this Order.  
(c) S.I. 1974/296.

*The National Health Service (Transfer of Social Services Staff) Order 1974*

15. In Article 8(3)(ii) of the National Health Service (Transfer of Social Services Staff) Order 1974(a) for the word "Area" there shall be substituted the word "District".

*The National Health Service (Service Committees and Tribunal) Regulations 1974*

16. In the National Health Service (Service Committees and Tribunal) Regulations 1974(b)—

(a) in regulation 2(1)—

(i) for the definition "Administrator" there shall be substituted the following definition—

“Administrator” means the officer, appointed by a District Health Authority or District Health Authorities by which a Family Practitioner Committee is established or adopted, to act as secretary to that Committee;”;

(ii) after the definition "Administrator" there shall be inserted the following definition—

“area” means, in relation to a Committee, the district or combined districts for which the Committee is established or adopted;”;

(b) in regulation 3(6)—

(i) for the word "Area" there shall be substituted the word "District";

(ii) after the word "Authority" there shall be inserted the words "or Authorities";

(c) in paragraph 3 of Schedule 1 in the definition of "lay member"—

(i) after the words "the Area" there shall be inserted the words "or District";

(ii) after the word "Authority" there shall be inserted the words "or Authorities".

*The National Health Service (Appointment of Consultants) (Wales) Regulations 1974*

17. In the National Health Service (Appointment of Consultants) (Wales) Regulations 1974(c)—

(a) in regulation 2(1) in the definition of "Authority" for the words "an Area" there shall be substituted the words "a District", and for the words "an area" there shall be substituted the words "a district";

(b) in regulation 4(1)(f) for the words "an Area" there shall be substituted the words "a District";

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(a) S.I. 1974/318.

(b) S.I. 1974/455, the amendment to which is not relevant to this Order.

(c) S.I. 1974/477.

- (c) in regulation 6 for the words “an Area” in both places where they occur there shall be substituted the words “a District”;
- (d) in Schedule 1—
  - (i) in the heading for the word “Area” there shall be substituted the word “District”;
  - (ii) in paragraph 6 for the words “an Area” there shall be substituted the words “a District”;
- (e) in Schedule 2—
  - (i) in the heading for the word “Area” there shall be substituted the word “District”;
  - (ii) in paragraph 7 for the words “an Area” there shall be substituted the words “a District” and for the word “Area” there shall be substituted the word “District”.

*The National Health Service (Professions Supplementary to Medicine) Regulations 1974*

**18.** In the National Health Service (Professions Supplementary to Medicine) Regulations 1974(a) in regulation 3(2) for the word “Area” there shall be substituted the word “District”.

*The National Health Service (Speech Therapists) Regulations 1974*

**19.** In the National Health Service (Speech Therapists) Regulations 1974(b) in regulation 4 for the word “Area” there shall be substituted the word “District”.

*The National Health Service (Injury Benefits) Regulations 1974*

**20.** In the National Health Service (Injury Benefits) Regulations 1974(c) in regulation 2(1) in the definition of “employing authority” after sub-paragraph (d) there shall be inserted the following sub-paragraph—

“(dd) a District Health Authority;”.

*The National Health Service (Compensation) Regulations 1974*

**21.** In the National Health Service (Compensation) Regulations 1974(d) in regulation 3(1)(a) after the words “an area health authority (teaching)” there shall be inserted the words “a District Health Authority”.

*The National Health Service (Transferred Staff) Order 1975*

**22.** In Article 2(1) of the National Health Service (Transferred Staff) Order 1975(e) in the definition of “new health authority” for the word “Area” there shall be substituted the word “District”.

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(a) S.I. 1974/494.  
(b) S.I. 1974/495.  
(c) S.I. 1974/1547.  
(d) S.I. 1974/1748.  
(e) S.I. 1975/364.



*The Sale of Goods for Mothers and Children (Designation and Charging) Regulations 1976*

**23.** In the Sale of Goods for Mothers and Children (Designation and Charging) Regulations 1976(a)—

- (a) in regulation 2(1) in the definition of “cost price” and “clinic or centre” for the word “area” there shall be substituted the word “district” in the three places where it occurs;
- (b) in regulation 3 for the word “area” there shall be substituted the word “district”;
- (c) in regulation 4 for the word “area” in the two places where it occurs there shall be substituted the word “district”.

*The Charities (Excepted Accounts) Regulations 1976*

**24.** In regulation 2 of the Charities (Excepted Accounts) Regulations 1976(b) for sub-paragraph (b) there shall be substituted the following sub-paragraph—

- “(b) a District Health Authority;”.

*The Prescription Pricing Authority Constitution Order 1978*

**25.** In Article 2(1) of the Prescription Pricing Authority Constitution Order 1978(c)—

- (a) in the definition “Administrator” for the words “an Area” in both places where they occur there shall be substituted the words “a District”;
- (b) after the word “Authority” in both places where it occurs there shall be inserted the words “or Authorities”;
- (c) after the word “established” there shall be inserted the words “or adopted”.

*The National Health Service (Dental and Optical Charges) Regulations 1978*

**26.** In the National Health Service (Dental and Optical Charges) Regulations 1978(d) in regulation 2(1) in the definition “Authority” for the words “an Area” there shall be substituted the words “a District”.

*The National Health Service (Vocational Training) Regulations 1979*

**27.** In the National Health Service (Vocational Training) Regulations 1979(e)—

- (a) in regulation 4 for the word “Area” in both places where it occurs there shall be substituted the word “District”;
- (b) in the Schedule for the word “Area” in both places where it occurs there shall be substituted the word “District”.

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(a) S.I. 1976/516.

(b) S.I. 1976/929.

(c) S.I. 1978/331.

(d) S.I. 1978/950, to which there are amendments not relevant to this Order.

(e) S.I. 1979/1644, to which there are amendments not relevant to this Order.

*The National Health Service (Superannuation) Regulations 1980*

**28.** In the National Health Service (Superannuation) Regulations 1980(a)—

(a) in regulation 3—

- (i) in the definition of “employing authority” after the words “Area Health Authority (Teaching),” there shall be inserted the words “District Health Authority,”;
- (ii) in the definition of “Family Practitioner Committee” at the end shall be added the words “or established by a District Health Authority under section 10 of the Act of 1977 or established by two or more District Health Authorities or adopted by two or more such Authorities under subsection (1) or (2) of section 2 of the Health Services Act 1980”;

(b) in regulation 4(1)(h) between the words “Area” and “Health” there shall be inserted the words “or District”;

(c) in regulation 67 for the words “an Area” there shall be substituted the words “a District”;

(d) in regulation 69(2)(i) for the words “an Area” there shall be substituted the words “a District”;

(e) in regulation 77(b) for the word “Area” there shall be substituted the word “District”.

*The National Health Service (Charges for Drugs and Appliances) Regulations 1980*

**29.** In the National Health Service (Charges for Drugs and Appliances) Regulations 1980(b) in regulation 2(1) in the definition of “Authority” the words “an Area Health Authority,” shall be omitted.

*The Nursing Homes and Mental Nursing Homes Regulations 1981*

**30.** In regulation 2(1) of the Nursing Homes and Mental Nursing Homes Regulations 1981(c) in the definition of “Health Authority” for the word “Area” there shall be substituted the word “District”.

*The National Health Service (Compensation for Premature Retirement) Regulations 1981*

**31.** In the National Health Service (Compensation for Premature Retirement) Regulations 1981(d) in regulation 2(1) in the definition of “employing authority” in sub-paragraph (a) after the words “an Area Health Authority”, there shall be inserted the words “a District Health Authority”.

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(a) S.I. 1980/362.

(b) S.I. 1980/1503, to which there is an amendment not relevant to this Order.

(c) S.I. 1981/932.

(d) S.I. 1981/1263.

## SCHEDULE 2

## Article 3

## TRANSITIONAL MODIFICATIONS OF ENACTMENTS AND INSTRUMENTS

1. For the purpose of securing continuity in the arrangements made for the provision of services under Part II of the National Health Service Act 1977(a), and in the administration of those arrangements, the following provisions shall apply where a Family Practitioner Committee (referred to in the following paragraphs as a “new Committee”) is established or adopted by a District Health Authority or by more than one such Authority pursuant to the provisions of section 10 of that Act or section 2(1) or (2) of the Health Services Act 1980(b); and the enactments and instruments specified in the Table below shall have effect and be construed accordingly.

## TABLE

The National Health Service Act 1977, Part II.

The Health Services Act 1980, section 2(4).

The National Health Service (General Dental Services) Regulations 1973.

The National Health Service (General Medical and Pharmaceutical Services) Regulations 1974.

The National Health Service (General Ophthalmic Services) Regulations 1974.

The National Health Service (Service Committees and Tribunal) Regulations 1974.

The National Health Service (Charges for Drugs and Appliances) Regulations 1980.

2. Subject to the provisions of paragraph 4 below any such arrangements made by an Area Health Authority and in operation immediately before 1st April 1982 shall, so far as they relate to any practitioner whose practice premises are in the district of the District Health Authority (or of any of the District Health Authorities) by which a new Committee is established or adopted, or to any general medical practitioner’s patient whose address is in that district, continue in operation thereafter notwithstanding the dissolution of that Area Health Authority as if made by the District Health Authority (or Authorities) in question.

3. Subject to the provisions of paragraph 4 below all arrangements made, things done and procedures commenced before 1st April 1982 by or in relation to a Family Practitioner Committee established by an Area Health Authority, in connection with the administration of arrangements made pursuant to the provisions specified in the Table above or the exercise of any function conferred or imposed by or under those provisions, shall, so far as they relate to any practitioner whose practice premises are in the district of the District Health Authority (or of any of the District Health Authorities) by which a new Committee is established, or to any general medical practitioner’s patient whose address is in that district, have effect thereafter as if made, done or commenced by or in relation to the new Committee and may, where the case so requires or permits, be continued accordingly by or in relation to that Committee.

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(a) 1977 c. 49.

(b) 1980 c. 53.

4. Notwithstanding the provisions of paragraphs 2 and 3 above—
- (a) a practitioner with whom arrangements for the provision of services have been made before 1st April 1982 under or by virtue of the provisions of Part II of the said Act of 1977 may, if he does not wish those arrangements to continue with a new Committee or with the District Health Authority (or Authorities) by which it is established, give notice in writing to that effect to that Committee and thereupon the provisions of the relevant regulations specified in the Table above relating to the termination of arrangements shall apply accordingly;
  - (b) a general medical practitioner shall not by virtue only of the provisions of this Schedule become entitled to provide services under or by virtue of the provisions of Part II of the said Act of 1977 at any place within the district of a District Health Authority unless he was entitled to provide those services at that place immediately before 1st April 1982.
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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order makes such modifications of instruments and enactments referring to Area Health Authorities as seem necessary having regard to the replacement of Area Health Authorities by District Health Authorities by virtue of section 1 of the Health Services Act 1980.

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