
STATUTORY INSTRUMENTS

2000 No. 695

**The Primary Care Trusts (Functions)
(England) Regulations 2000**

Functions to be exercised by Primary Care Trusts

- 3.—(1) Subject to regulation 6 and to any prohibitions or restrictions in a PCT order—
- (a) the functions specified in paragraph (2) are to be exercisable by a Primary Care Trust to the extent specified in paragraphs (3) to (7); and
 - (b) each Health Authority must direct each Primary Care Trust in relation to which they are the appropriate Health Authority to exercise those functions to that extent.

- (2) The functions referred to in paragraph (1) are—

- (a) those delegable functions exercisable by virtue of regulation 3(1) of the Functions Regulations and which are conferred on the Secretary of State under or by virtue of the enactments specified in column (1) of Schedule 1 to these Regulations (the subject matter of the relevant functions being indicated in column (2) of that Schedule);
- (b) those delegable functions exercisable under or by virtue of the enactments specified in column (1) of Schedule 2 to these Regulations (the subject matter of the relevant functions being indicated in column (2) of that Schedule);
- (c) those delegable functions exercisable under or by virtue of the regulations specified in column (1) of Schedule 3 to these Regulations, to the extent specified in column (2) of that Schedule.

(3) Paragraph (1) does not apply to the functions specified in paragraph (2) to the extent that they consist of providing or securing the provision of such facilities or services as the Secretary of State may direct; but, subject to any directions given by the Secretary of State, nothing in this paragraph prevents an appropriate Health Authority from directing a Primary Care Trust to exercise those functions to that extent, in accordance with regulation 5.

(4) Subject to paragraph (7), the functions specified in paragraph (2) are to be exercised by a Primary Care Trust—

- (a) in so far as those functions consist of providing or securing the provision of services to patients, other than the services specified in sub-paragraphs (b) to (e), for the benefit of the persons for whom the trust is responsible;
- (b) in so far as those functions consist of providing or securing the provision of—
 - (i) accident and emergency services; and
 - (ii) any other services which the Secretary of State may direct, for the benefit of all persons present in its area;
- (c) in so far as those functions consist of providing and securing the provision of services under section 117 of the Mental Health Act 1983 (after-care of persons detained under that Act), for the benefit of persons who leave hospital after being detained under the Act and are resident in, or sent on discharge by that hospital to, the trust's area;

- (d) in so far as those functions relate to general medical services, in relation to any medical practitioner on the medical list of the appropriate Health Authority and for which the trust is the relevant Primary Care Trust;
 - (e) in so far as those functions relate to pilot schemes under the 1997 Act, for the benefit of persons within the area of the appropriate Health Authority and for whom the trust is responsible;
 - (f) in so far as those functions consist of any other functions, generally as respects its area.
- (5) The functions under section 45(1) of the Act (consultation of local representative committees) are to be exercisable by a Primary Care Trust only in so far as they relate to any function specified in paragraph (2)(c) relating to general medical services.
- (6) The functions under the 1997 Act are not to be exercisable by a Primary Care Trust to the extent that they relate to a pilot scheme made before the date on which the trust was established, except with the consent of the persons providing services under that scheme.
- (7) The functions specified in paragraph (2) are to be exercisable by a Primary Care Trust only to the extent that they do not consist of–
- (a) providing or securing the provision of emergency ambulance services;
 - (b) ensuring that arrangements for public health surveillance and protection are in place with respect to the area of the appropriate Health Authority, including arrangements for–
 - (i) the surveillance, prevention and control of the spread of, and the collation and provision of information relating to, communicable disease;
 - (ii) the surveillance, prevention and control of the effects on health of exposure to radiation or to substances hazardous to health; and
 - (iii) the collation and provision of information relating to immunisation, vaccination and other public health programmes;
 - (c) preparing plans setting out the arrangements under which health service bodies in the area of the appropriate Health Authority respond to major incidents;
 - (d) establishing or funding research ethics committees;
 - (e) securing the provision of cancer registration services; or
 - (f) preparing and implementing population screening programmes.
- (8) In this regulation, references to accident and emergency services are references to those services provided at the accident and emergency department, or a minor injuries unit, of a health service hospital, and do not include any subsequent treatment connected with the provision of those services.