
STATUTORY INSTRUMENTS

2001 No. 747

The National Health Service (Functions of Health Authorities and Administration Arrangements) (England) Regulations 2001

Functions exercisable by Health Authorities

3.—(1) Subject to regulation 4, every Health Authority shall exercise the specified health service functions—

- (a) in so far as those functions consists of providing or securing the provision of services to patients, other than the services referred to in sub-paragraph (b) of this paragraph, for the benefit of—
 - (i) the practice patients of medical practitioners providing general medical services under the Act, or performing personal medical services in connection with a pilot scheme under the 1997 Act, in respect of whom the Health Authority is the relevant Health Authority; and
 - (ii) persons usually resident in their area, or resident outside the United Kingdom who are present in their area, and who are not practice patients of any medical practitioner providing general medical services under the Act or performing personal medical services in connection with a pilot scheme under the 1997 Act;
- (b) in so far as those functions consist of providing or securing the provision of—
 - (i) accident and emergency services and ambulance services;
 - (ii) any other services which the Secretary of State may direct, for the benefit of all persons present in their area; and
- (c) in so far as those functions consist of any other functions, generally as respects their area.

(2) 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.

(3) Nothing in regulation 3(1) limits the area in relation to which an approval of a medical practitioner for the purposes of section 12(2) of the Mental Health Act 1983(1) (approval of medical specialists) given by a Health Authority shall have effect.

(4) Subject to any directions which the Secretary of State may give as to any particular case or class of case, if there is doubt as to where a person is usually resident for the purposes of this regulation—

- (a) he shall be treated as usually resident at the address which he gives, to the person or body providing him with services, as being that at which he usually resides;
- (b) where he gives no such address, he shall be treated as usually resident at the address which he gives, to the person or body providing him with services, as being his most recent address;

(1) 1983 c. 20; section 12 was amended by the 1990 Act, Schedule 9, paragraph 24(1) and by S.I. 2000/90.

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(c) where his usual residence cannot be determined under sub-paragraphs (a) and (b) above, he shall be treated as usually resident in the area in which he is present.

(5) Subject to any directions which the Secretary of State may give as to any particular case or class of case, if there is doubt as to whether a person is a practice patient of any medical practitioner, or as to the identity of the medical practitioner of which a person is a practice patient, for the purposes of these Regulations he shall be treated as a person who is not the practice patient of any medical practitioner.