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STATUTORY INSTRUMENTS

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**2013 No. 218**

**The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013**

**PART 4**

**HEALTH SCRUTINY BY LOCAL AUTHORITIES**

**Restrictions on arrangements for discharge of health scrutiny functions under section 101 of the 1972 Act**

**29.**—(1) Section 101 of the 1972 Act<sup>(1)</sup> does not apply in relation to the discharge by a local authority of its functions under regulation 23(9) (reports to Secretary of State).

(2) The following provisions of section 101 of the 1972 Act do not apply with respect to the discharge by a local authority of its relevant functions—

- (a) subsection (1)(a) (arrangements for discharge of functions by local authorities), in so far as it relates to an officer of the authority;
- (b) subsection (5) (discharge of functions by two or more local authorities jointly);
- (c) subsection (13)<sup>(2)</sup> (extended meaning of “local authority”), except in so far as it relates to the Common Council of the City of London.

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(1) Section 101 was amended by section 30 of, and Schedule 10 to, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), sections 84 and 102 of, and Schedules 14 and 17 to, the Local Government Act 1985 (c.51), the Statute Law (Repeals) Act 1986 (c.12), section 237 of, and Schedule 13 to, the Education Reform Act 1988 (c.40), sections 45(5) and 194 of, and Schedule 12 to, the Local Government and Housing Act 1989 (c.42), section 307 of, and Schedules 19 to, the Education Act 1993 (c.35), section 93 of, and Schedule 9 to, the Police and Magistrates’ Courts Act 1994 (c.29), section 66(5) of, and Schedule 15 to, the Local Government (Wales) Act 1994 (c.19), section 120 of, and Schedule 24 to, the Environment Act 1995 (c.25), section 332(1) of the Greater London Authority Act 1999 (c.29), section 198 of, and Schedule 6 to, the Licensing Act 2003 (c.17), section 64 of, and Schedule 5 to, the Children Act 2004 (c.31), section 209 of, and Schedule 13 to, the 2007 Act, section 224 of the Planning Act 2008 (c.29), section 119 of, and Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009 (c.20), section 321 of, and Schedule 22 to, the Marine and Coastal Access Act 2009 (c.23), section 99 of, and Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c.13), section 22 of, and Schedule 3 to, the 2011 Act and S.I. 2001/1517 and 2009/1375.

(2) Subsection (13) was amended by paragraph 15 of Schedule 14 to the Local Government Act 1985, section 332(1) of the Greater London Authority Act 1999, paragraphs 10 and 19 of Schedule 6 to the Local Democracy, Economic Development and Construction Act 2009, paragraphs 1 and 9 of Schedule 13 to the 2007 Act and Schedule 13 to the Education Reform Act 1988.