
STATUTORY INSTRUMENTS

1996 No. 709

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The Health Authorities Act 1995
(Transitional Provisions) Order 1996**

<i>Made</i>	- - - -	<i>11th March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State for Health, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of powers conferred by section 126(4) and (5) of the National Health Service Act 1977⁽¹⁾ and paragraphs 4, 7(1) (a), 13, 14, 16, 18, 19 and 20 of Schedule 2 to the Health Authorities Act 1995⁽²⁾, and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation.

1.—(1) This Order may be cited as the Health Authorities Act 1995 (Transitional Provisions) Order 1996 and shall come into force on 1st April 1996.

(2) In this Order, unless the context otherwise requires—

“the 1977 Act” means the National Health Service Act 1977;

“the 1993 Act” means the Health Service Commissioners Act 1993⁽³⁾;

“the 1995 Act” means the Health Authorities Act 1995;

“charity” means a charity connected with purposes relating to the health service⁽⁴⁾;

“District Health Authority” means a District Health Authority in existence immediately before 1st April 1996 under the 1977 Act as then in force;

“Family Health Services Authority” means a Family Health Services Authority in existence immediately before 1st April 1996 under the 1977 Act as then in force;

(1) 1977 c. 49; section 126 was amended by the National Health Service and Community Care Act 1990 (c. 19), section 65(2). See also section 6(6) of the Health Authorities Act 1995 (c. 17).

(2) 1995 c. 17.

(3) 1993 c. 46.

(4) See section 90 of the National Health Service Act 1977.

“new authority” means a Health Authority specified in column (1) of the Schedule to the Health Authorities (England) Establishment Order 1996⁽⁵⁾ or column (1) of the Schedule to the Health Authorities (Wales) Establishment Order 1996⁽⁶⁾;

“old authority” means any District Health Authority or any Family Health Services Authority;

“Regional Health Authority” means a Regional Health Authority in existence immediately before 1st April 1996 under the 1977 Act as then in force;

“the relevant new authority” means—

- (a) as respects any old authority specified in column (1) of Schedule 1, the new authority which is specified in column (2) of that Schedule in relation to that old authority;
- (b) as respects any old authority specified in column (1) of Schedule 2, such new authority specified in column (2) or column (3) of that Schedule in relation to that old authority as is determined, in accordance with Schedule 3, to be the relevant new authority; and
- (c) as respects any Regional Health Authority specified in column (1) of Schedule 4, the Health Authority which is specified in column (2) of that Schedule in relation to that Regional Health Authority; and

“the Service Committees Regulations” means the National Health Service (Service Committees and Tribunal) Regulations 1992⁽⁷⁾ as in force on 31st March 1996.

(3) In this Order, unless the context otherwise requires—

- (a) any reference to a numbered article is a reference to the article bearing that number in this Order;
- (b) any reference in an article to a numbered paragraph is a reference to the paragraph bearing that number in that article; and
- (c) any reference to a numbered Schedule is a reference to the Schedule to this Order bearing that number.

Transfer of officers employed by old authorities.

2. Any officer employed immediately before 1st April 1996 by an old authority specified in column (1) in Part I or III of Schedule 1 and who is not—

- (a) transferred on that date by means of a scheme made under paragraph 7(1)(b) of Schedule 2 to the 1995 Act; or
- (b) a person to whom paragraph 7(3) of that Schedule applies (persons transferred to NHS trusts on 1st April 1996);

is transferred on that date to the employment of the relevant new authority.

Transfer of officers employed by Regional Health Authorities.

3.—(1) Subject to paragraphs (2) and (3), any officer who is employed immediately before 1st April 1996 by a Regional Health Authority is transferred on that date to the employment of the Secretary of State.

(2) Subject to paragraph (3), any officer of the grade of Senior Registrar, Registrar or Specialist Registrar who is employed immediately before 1st April 1996 by a Regional Health Authority is transferred on that date to the employment of the NHS trust on whose functions that officer was engaged to work immediately before that date.

(5) S.I.1996/624.

(6) S.I. 1996/146.

(7) S.I. 1992/664, as amended by S.I. 1993/2972 and S.I. 1994/634.

- (3) Paragraphs (1) and (2) shall not apply to an officer who is—
- (a) transferred on 1st April by virtue of a scheme made under paragraph 7(1)(b) of Schedule 2 to the 1995 Act; or
 - (b) a person to whom paragraph 7(3) of that Schedule (persons transferred to NHS trusts on 1st April 1996) applies.

Transfer of trust property.

4.—(1) Subject to paragraph (2), any trust property vested immediately before 1st April 1996 in any old authority specified in column (1) in Part I of Schedule 1 shall on that date be transferred to the relevant new authority.

(2) Paragraph (1) shall not apply to any trust property which is vested immediately before 1st April 1996 in an old authority and which is transferred on that date by virtue of an order made under section 92 of the 1977 Act.

Accounts, and winding up of affairs, of old authorities.

5.—(1) Any duty imposed on an old authority by section 98 of the 1977 Act, but not performed by 1st April 1996, shall be performed by the relevant new authority in accordance with the provisions of that section, of any regulations made under that section and of any directions which may be given by the Secretary of State.

(2) Each new authority shall take such action as may be necessary for the winding up of the affairs of any old authority in relation to which it is the relevant new authority.

(3) Any new authority which is specified in column (2) of Schedule 2 in relation to an old authority specified in column (1) of that Schedule shall, in accordance with any directions which the Secretary of State may give, assist the relevant new authority specified in column (3) of that Schedule with the discharge of its duties under paragraphs (1) and (2) with respect to the accounts and winding up of that old authority.

Exercise of powers in relation to trusts.

6. Where, immediately before 1st April 1996, any power to appoint trustees of a charity is, under the trusts of the charity, vested in—

- (a) an old authority which is specified in column (1) in Part I or II of Schedule 1, or in Part I or II of Schedule 2; or
- (b) a Regional Health Authority,

that power vests on that date in the relevant new authority.

Substitution of new trustees.

7. Where, under the trusts of a charity, the charity trustees immediately before 1st April 1996 include a person who is a trustee by virtue of his being an officer of—

- (a) an old authority which is specified in column (1) in Part I or II of Schedule 1, or in Part I or II of Schedule 2; or
- (b) a Regional Health Authority,

the trustees shall from that date instead include the holder of the corresponding office with the relevant new authority.

Amendment of trust instruments.

8. Any trust instrument or scheme which contains—

- (a) a reference to an old authority specified in column (1) in Part I or II of Schedule 1, or in Part I or II of Schedule 2; or
- (b) a reference to a Regional Health Authority,

shall continue to apply with the substitution for that reference of a reference to the relevant new authority.

Investigation of complaints by Health Service Commissioners.

9.—(1) A complaint made to the Health Service Commissioner for England or Wales under the 1993 Act—

- (a) in relation to an old authority; or
- (b) which is, by virtue of any enactment in force on 31st March 1996, to be treated as if it had been made in relation to an old authority,

whether made before, on or after 1st April 1996, may, notwithstanding the abolition of that Authority, be investigated by that Commissioner, as if the complaint had been made in relation to the relevant new authority.

(2) A complaint made to the Health Service Commissioner for England under the 1993 Act—

- (a) in relation to any Regional Health Authority, or
- (b) which is, by virtue of any enactment in force on 31st March 1996, to be treated as if it had been made in relation to any Regional Health Authority,

whether made before, on or after 1st April 1996, may, notwithstanding the abolition of that Authority, be investigated by that Commissioner in accordance with that Act as modified by paragraph (3).

(3) For the purpose of the investigation of a complaint to which paragraph (2) applies, the 1993 Act shall be modified as follows:—

- (a) in section 11 (procedure in respect of investigations)—
 - (i) in subsection (1)(a), for “health service body concerned” substitute “Secretary of State”; and
 - (ii) in subsection (5), for “the health service body concerned” and “that body” substitute (in each case) “the Secretary of State”;
- (b) in section 12 (evidence), in subsection (1), for the words from “or member” to “concerned” substitute “of the Secretary of State”; and
- (c) in section 14 (reports by Commissioners), omit subsection (1)(c).

Investigation of other complaints.

10.—(1) Any complaint made or any matter referred before 1st April 1996 under Part II of the Service Committees Regulations to a Family Health Services Authority but not disposed of by that date shall continue to be investigated by the relevant new authority as if any reference in those Regulations to a Family Health Services Authority were a reference to a Health Authority, and the appropriate committee under regulation 4 of those Regulations may continue to investigate such a complaint or, as the case may be, such a matter, as if that committee were a committee of the relevant new authority.

- (2) Any complaint made before 1st April 1996 under section 1 of the Hospital Complaints Procedure Act 1985(8), but not disposed of before that date, in relation to a hospital managed by—
- (a) an old authority specified in column (1) in Part I or II of Schedule 1, or in Part I or II of Schedule 2; or
 - (b) a Regional Health Authority,
- shall be dealt with by the relevant new authority.

Community Health Councils.

11.—(1) Notwithstanding section 1(1) of the 1995 Act (abolition of RHAs, DHAs and FHSAs) and the coming into force of the Health Authorities (England) Establishment Order 1996(9), any Community Health Council(10) in existence on 31st March 1996 in relation to any district in England shall continue to be established in relation to the same district.

(2) In paragraph (1), “district” has the meaning assigned to it by paragraph 7 of Schedule 7 to the 1977 Act(11).

Joint Consultative Committees.

12. Until 1st October 1996, the Joint Consultative Committees Order 1985(12) shall have effect as if—

- (a) in article 6 of that Order (representation of voluntary organisations on Committees) for the words “three members” there were substituted the words “such number of members, being not less than two, as the Secretary of State shall, in relation to any Committee, determine”;
- (b) for article 7 of that Order (appointment of members by voluntary organisations) there were substituted the following article—

“Appointment of members by voluntary organisations.

7.—(1) The Secretary of State shall, after consultation with each Health Authority and each local authority represented on the Committee, invite such number as he thinks fit of the voluntary organisations which appear to him to have an interest in services of common concern to those bodies to appoint members to the Committee.

(2) Each organisation which is invited under paragraph (1) above to make appointments shall appoint to the Committee such number of members as the Secretary of State shall determine in relation to that organisation.

(3) Before exercising its power of appointment under paragraph (2) above, a voluntary organisation shall, for the purposes of giving effect to paragraph (4) below, consult the other organisation or organisations invited to make appointments to the same Committee.

(4) The voluntary organisations which are invited under paragraph (1) above to make appointments to the same Committee shall so exercise their powers under paragraph (2) above as to secure that any person who on 31st March 1996 was, by virtue of article 7 of the Order as then in force, a member of a Committee (“the old Committee”) is given an opportunity to serve until 30th September 1996 on a Committee on which there is represented a Health Authority whose area includes the whole or any part of the district of a former District Health Authority which was represented on the old Committee.”; and

(8) 1985 c. 42. Section 1 is amended by the Health Authorities Act 1995 (C.17), paragraph 109 Schedule 1.

(9) S.I. 1996/624.

(10) See section 20 of the National Health Service Act 1977 (c. 49) as amended by the Health Services Act 1980 (c. 53), paragraph 40 of Schedule 1, and the Health Authorities Act 1995, paragraph 11 of Schedule 1.

(11) Paragraph 7 is amended by the Health Authorities Act 1995, paragraph 62(c) of Schedule 1, with effect from 1st April 1996.

(12) S.I. 1985/304.

- (c) in article 8 of that Order (vacancies among members appointed under article 7)—
- (i) in paragraph (2), for the words from “appointed” to the end of the paragraph there were substituted the words “shall be for a period ending on 30th September 1996.”,
 - (ii) paragraphs (4) and (6) were omitted,
 - (iii) in paragraph (7) for the words from “invite” to the end of the paragraph there were substituted the words “invite the voluntary organisation which appointed the member whose departure has given rise to the vacancy to appoint another member in his place.”, and
 - (iv) paragraph (8) were omitted.

Lists of practitioners.

13.—(1) Any person (“the practitioner”) whose name was, on 31st March 1996, included in any list maintained by a Family Health Services Authority under section 29, 36, 39 or 42 of the 1977 Act shall on 1st April 1996 have his name included in the corresponding list maintained by—

- (a) in the case of a list maintained under section 29 of the 1977 Act, any Health Authority in whose area there resides a person who is on the practitioner’s list of patients; and
- (b) in the case of any other list, any Health Authority in whose area are located premises at or from which the practitioner was on 31st March providing, and continues to provide, services under Part II of the 1977 Act.

(2) In paragraph (1), “Health Authority” means a Health Authority specified in column (2) of Schedule 1, or in column (2) or (3) of Schedule 2, in relation to that Family Health Services Authority.

Continuity in exercise of functions of old authorities.

14.—(1) Subject to paragraph (2), anything done by or in relation to, or any application made by or in relation to, or any direction, authorisation or notice given to, by or in relation to, an old authority is deemed to have been done by or in relation to, or made by or in relation to, or given to, by or in relation to, the relevant new authority.

(2) Paragraph (1) shall not apply to any recognition granted by a Family Health Services Authority under section 44(1) of the 1977 Act in relation to a Local Medical Committee, Local Dental Committee, Local Optical Committee or Local Pharmaceutical Committee.

(3) Any instrument made by an old authority continues in force, unless it is expressed to cease to be in force sooner, until it is varied or revoked by the relevant new authority.

(4) Any form supplied by an old authority and any form supplied by the Secretary of State relating to an old authority continues to be a valid form in relation to the relevant new authority, until it is cancelled or withdrawn by the Secretary of State or, as the case may be, the relevant new authority, as if any reference contained in the form to the old authority were a reference to the relevant new authority.

Continuity in exercise of functions of Regional Health Authorities.

15.—(1) Subject to paragraph (2), anything done by or in relation to, or any application made by or in relation to, or any direction, authorisation or notice given to, by or in relation to, any Regional Health Authority is deemed to have been done by or in relation to, or made by or in relation to, or given to, by or in relation to—

- (a) where the function in connection with which the thing was done, the application was made or the direction, authorisation or notice was given is, on and after 1st April 1996, a function of the Secretary of State, the Secretary of State; and

(b) where the function in connection with which the thing was done, the application was made or the direction, authorisation or notice was given is, on and after 1st April 1996, a function of a Health Authority, that Health Authority acting for the area in relation to which the thing was done, the application was made or the direction, authorisation or notice was given.

(2) Paragraph (1) shall not apply to any direction given by a Regional Health Authority under the 1977 Act or the National Health Service and Community Care Act 1990(13), but any other instrument made by a Regional Health Authority continues in force, unless it is expressed to cease to be in force sooner, until it is varied or revoked by the Secretary of State or, as the case may be, by a Health Authority.

(3) Any director of an NHS trust or member of a Community Health Council appointed before 1st April 1996 by a Regional Health Authority is to continue as such on and after that date as if he had been appointed by the Secretary of State.

(4) Any form supplied by a Regional Health Authority or by the Secretary of State relating to a Regional Health Authority which relates to a function which is, on and after 1st April 1996, a function of a Health Authority, continues to be a valid form in relation to that Health Authority until it is cancelled or withdrawn by the Secretary of State or that Health Authority, as if any reference contained in the form to the Regional Health Authority were a reference to that Health Authority.

Signed by authority of the Secretary of State for Health

11th March 1996

Gerald Malone
Minister of State,
Department of Health

Signed by authority of the Secretary of State for Wales

11th March 1996

Rod Richards
Parliamentary Under Secretary of State, Welsh
Office

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SCHEDULE 1

articles 1(2) and 13(2)

RELEVANT NEW AUTHORITIES FOR OLD AUTHORITIES
WHOSE DISTRICTS OR LOCALITIES COMPRISE OR FORM
PART OF THE AREA OF ONLY ONE NEW AUTHORITY

PART I

DISTRICT HEALTH AUTHORITIES (ENGLAND)

(1) Old authority	(2) Relevant new authority
Barking and Havering Health Authority	Barking & Havering Health Authority
Barnet Health Authority	Barnet Health Authority
Barnsley Health Authority	Barnsley Health Authority
Bedfordshire Health Authority	Bedfordshire Health Authority
Berkshire Health Authority	Berkshire Health Authority
Bexley and Greenwich Health Authority	Bexley and Greenwich Health Authority
Bradford Health Authority	Bradford Health Authority
Brent and Harrow Health Authority	Brent & Harrow Health Authority
Bristol and District Health Authority	Avon Health Authority
Bromley Health Authority	Bromley Health Authority
Buckinghamshire Health Authority	Buckinghamshire Health Authority
Bury and Rochdale Health Authority	Bury and Rochdale Health Authority
Cambridge Health Authority	Cambridge & Huntingdon Health Authority
Camden and Islington Health Authority	Camden & Islington Health Authority
Cornwall and Isles of Scilly Health Authority	Cornwall and Isles of Scilly Health Authority
Coventry Health Authority	Coventry Health Authority
Croydon Health Authority	Croydon Health Authority
Doncaster Health Authority	Doncaster Health Authority
Dorset Health Authority	Dorset Health Authority
Dudley Health Authority	Dudley Health Authority
Ealing Hammersmith and Hounslow Health Authority	Ealing, Hammersmith & Hounslow Health Authority
Eastern Surrey Health Authority	East Surrey Health Authority
East Kent Health Authority	East Kent Health Authority
East Lancashire Health Authority	East Lancashire Health Authority
East London and The City Health Authority	East London and The City Health Authority

(1) Old authority	(2) Relevant new authority
East Norfolk Health Authority	East Norfolk Health Authority
East and North Hertfordshire Health Authority	East and North Hertfordshire Health Authority
East Riding Health Authority	East Riding Health Authority
East Sussex Health Authority	East Sussex, Brighton and Hove Health Authority
Exeter and North Devon Health Authority	North and East Devon Health Authority
Gloucestershire Health Authority	Gloucestershire Health Authority
Herefordshire Health Authority	Herefordshire Health Authority
Hillingdon Health Authority	Hillingdon Health Authority
Huntingdon Health Authority	Cambridge & Huntingdon Health Authority
Isle of Wight Health Authority	Isle of Wight Health Authority
Kensington Chelsea and Westminster Health Authority	Kensington & Chelsea and Westminster Health Authority
Kingston and Richmond Health Authority	Kingston and Richmond Health Authority
Leeds Health Authority	Leeds Health Authority
Leicestershire Health Authority	Leicestershire Health Authority
Lincolnshire Health Authority	Lincolnshire Health Authority
Liverpool Health Authority	Liverpool Health Authority
Manchester Health Authority	Manchester Health Authority
Merton, Sutton and Wandsworth Health Authority	Merton, Sutton and Wandsworth Health Authority
Morecambe Bay Health Authority	Morecambe Bay Health Authority
Newcastle and North Tyneside Health Authority	Newcastle & North Tyneside Health Authority
New River Health Authority	Enfield & Haringey Health Authority
Northamptonshire Health Authority	Northamptonshire Health Authority
Northumberland Health Authority	Northumberland Health Authority
North Birmingham Health Authority	Birmingham Health Authority
North Cheshire Health Authority	North Cheshire Health Authority
North Cumbria Health Authority	North Cumbria Health Authority
North Derbyshire Health Authority	North Derbyshire Health Authority
North Durham Health Authority	County Durham Health Authority
North Essex Health Authority	North Essex Health Authority
North and Mid Hampshire Health Authority	North and Mid Hampshire Health Authority
North Nottinghamshire Health Authority	North Nottinghamshire Health Authority

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(1) Old authority	(2) Relevant new authority
North Staffordshire Health Authority	North Staffordshire Health Authority
North West Anglia Health Authority	North West Anglia Health Authority
North West Hertfordshire Health Authority	West Hertfordshire Health Authority
North West Lancashire Health Authority	North West Lancashire Health Authority
North Worcestershire Health Authority	Worcestershire Health Authority
North Yorkshire Health Authority	North Yorkshire Health Authority
Nottingham Health Authority	Nottingham Health Authority
Oxfordshire Health Authority	Oxfordshire Health Authority
Plymouth and Torbay Health Authority	South and West Devon Health Authority
Portsmouth and South East Hampshire Health Authority	Portsmouth and South East Hampshire Health Authority
Redbridge and Waltham Forest Health Authority	Redbridge and Waltham Forest Health Authority
Rotherham Health Authority	Rotherham Health Authority
Salford and Trafford Health Authority	Salford and Trafford Health Authority
Sandwell Health Authority	Sandwell Health Authority
Sefton Health Authority	Sefton Health Authority
Sheffield Health Authority	Sheffield Health Authority
Shropshire Health Authority	Shropshire Health Authority
Solihull Health Authority	Solihull Health Authority
Somerset Health Authority	Somerset Health Authority
Southampton and South West Hampshire Health Authority	Southampton and South West Hampshire Health Authority
Southern Derbyshire Health Authority	Southern Derbyshire Health Authority
South Birmingham Health Authority	Birmingham Health Authority
South Cheshire Health Authority	South Cheshire Health Authority
South Durham Health Authority	County Durham Health Authority
South East London Health Authority	Lambeth, Southwark and Lewisham Health Authority
South Essex Health Authority	South Essex Health Authority
South Lancashire Health Authority	South Lancashire Health Authority
South Staffordshire Health Authority	South Staffordshire Health Authority
South of Tyne Health Authority	Gateshead and South Tyneside Health Authority
South West Hertfordshire Health Authority	West Hertfordshire Health Authority

(1) Old authority	(2) Relevant new authority
St Helens and Knowsley Health Authority	St Helens and Knowsley Health Authority
Stockport Health Authority	Stockport Health Authority
Suffolk Health Authority	Suffolk Health Authority
Sunderland Health Authority	Sunderland Health Authority
Tees Health Authority	Tees Health Authority
Wakefield Health Authority	Wakefield Health Authority
Walsall Health Authority	Walsall Health Authority
Warwickshire Health Authority	Warwickshire Health Authority
Western Surrey Health Authority	West Surrey Health Authority
West Kent Health Authority	West Kent Health Authority
West Pennine Health Authority	West Pennine Health Authority
West Sussex Health Authority	West Sussex Health Authority
West Yorkshire Health Authority	Calderdale and Kirklees Health Authority
Wigan and Bolton Health Authority	Wigan and Bolton Health Authority
Wirral Health Authority	Wirral Health Authority
Wolverhampton Health Authority	Wolverhampton Health Authority
Worcester and District Health Authority	Worcestershire Health Authority

PART II

DISTRICT HEALTH AUTHORITIES (WALES)

(1) Old authority	(2) Relevant new authority
Dyfed Health Authority	Dyfed Powys Health Authority
Gwent Health Authority	Gwent Health Authority
Gwynedd Health Authority	North Wales Health Authority
Powys Health Authority	Dyfed Powys Health Authority
South Glamorgan Health Authority	Bro Taf Health Authority
West Glamorgan Health Authority	Morgannwg Health Authority

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PART III

FAMILY HEALTH SERVICES AUTHORITIES (ENGLAND)

(1) Old authority	(2) Relevant new authority
Avon Family Health Services Authority	Avon Health Authority
Barking and Havering Family Health Services Authority	Barking & Havering Health Authority
Barnet Family Health Services Authority	Barnet Health Authority
Barnsley Family Health Services Authority	Barnsley Health Authority
Bedfordshire Family Health Services Authority	Bedfordshire Health Authority
Berkshire Family Health Services Authority	Berkshire Health Authority
Birmingham Family Health Services Authority	Birmingham Health Authority
Bolton Family Health Services Authority	Wigan and Bolton Health Authority
Bradford Family Health Services Authority	Bradford Health Authority
Brent and Harrow Family Health Services Authority	Brent & Harrow Health Authority
Buckinghamshire Family Health Services Authority	Buckinghamshire Health Authority
Bury Family Health Services Authority	Bury and Rochdale Health Authority
Calderdale Family Health Services Authority	Calderdale and Kirklees Health Authority
Camden and Islington Family Health Services Authority	Camden & Islington Health Authority
City and East London Family Health Services Authority	East London and The City Health Authority
Cleveland Family Health Services Authority	Tees Health Authority
Cornwall and Isles of Scilly Family Health Services Authority	Cornwall and Isles of Scilly Health Authority
Coventry Family Health Services Authority	Coventry Health Authority
Croydon Family Health Services Authority	Croydon Health Authority
Doncaster Family Health Services Authority	Doncaster Health Authority
Dorset Family Health Services Authority	Dorset Health Authority
Dudley Family Health Services Authority	Dudley Health Authority
Durham Family Health Services Authority	County Durham Health Authority
Ealing Hammersmith and Hounslow Family Health Services Authority	Ealing, Hammersmith & Hounslow Health Authority
East Sussex Family Health Services Authority	East Sussex, Brighton and Hove Health Authority

(1) Old authority	(2) Relevant new authority
Enfield and Haringey Family Health Services Authority	Enfield and Haringey Health Authority
Gateshead Family Health Services Authority	Gateshead and South Tyneside Health Authority
Gloucestershire Family Health Services Authority	Gloucestershire Health Authority
Greenwich and Bexley Family Health Services Authority	Bexley and Greenwich Health Authority
Hillingdon Family Health Services Authority	Hillingdon Health Authority
Isle of Wight Family Health Services Authority	Isle of Wight Health Authority
Kensington Chelsea and Westminster Family Health Services Authority	Kensington & Chelsea and Westminster Health Authority
Kingston and Richmond Family Health Services Authority	Kingston and Richmond Health Authority
Kirklees Family Health Services Authority	Calderdale and Kirklees Health Authority
Lambeth, Southwark and Lewisham Family Health Services Authority	Lambeth, Southwark and Lewisham Health Authority
Leeds Family Health Services Authority	Leeds Health Authority
Leicestershire Family Health Services Authority	Leicestershire Health Authority
Lincolnshire Family Health Services Authority	Lincolnshire Health Authority
Liverpool Family Health Services Authority	Liverpool Health Authority
Manchester Family Health Services Authority	Manchester Health Authority
Merton, Sutton and Wandsworth Family Health Services Authority	Merton, Sutton and Wandsworth Health Authority
Newcastle Family Health Services Authority	Newcastle & North Tyneside Health Authority
Northamptonshire Family Health Services Authority	Northamptonshire Health Authority
North Tyneside Family Health Services Authority	Newcastle & North Tyneside Health Authority
Northumberland Family Health Services Authority	Northumberland Health Authority
North Yorkshire Family Health Services Authority	North Yorkshire Health Authority
Oldham Family Health Services Authority	West Pennine Health Authority
Oxfordshire Family Health Services Authority	Oxfordshire Health Authority
Redbridge and Waltham Forest Family Health Services Authority	Redbridge and Waltham Forest Health Authority

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(1) Old authority	(2) Relevant new authority
Rochdale Family Health Services Authority	Bury and Rochdale Health Authority
Rotherham Family Health Services Authority	Rotherham Health Authority
St Helens and Knowsley Family Health Services Authority	St Helens and Knowsley Health Authority
Salford Family Health Services Authority	Salford and Trafford Health Authority
Sandwell Family Health Services Authority	Sandwell Health Authority
Sefton Family Health Services Authority	Sefton Health Authority
Sheffield Family Health Services Authority	Sheffield Health Authority
Shropshire Family Health Services Authority	Shropshire Health Authority
Solihull Family Health Services Authority	Solihull Health Authority
Somerset Family Health Services Authority	Somerset Health Authority
South Tyneside Family Health Services Authority	Gateshead and South Tyneside Health Authority
Stockport Family Health Services Authority	Stockport Health Authority
Suffolk Family Health Services Authority	Suffolk Health Authority
Sunderland Family Health Services Authority	Sunderland Health Authority
Tameside Family Health Services Authority	West Pennine Health Authority
Trafford Family Health Services Authority	Salford and Trafford Health Authority
Wakefield Family Health Services Authority	Wakefield Health Authority
Walsall Family Health Services Authority	Walsall Health Authority
Warwickshire Family Health Services Authority	Warwickshire Health Authority
West Sussex Family Health Services Authority	West Sussex Health Authority
Wigan Family Health Services Authority	Wigan and Bolton Health Authority
Wiltshire Family Health Services Authority	Wiltshire Health Authority
Wirral Family Health Services Authority	Wirral Health Authority
Wolverhampton Family Health Services Authority	Wolverhampton Health Authority

PART IV

FAMILY HEALTH SERVICES AUTHORITIES (WALES)

(1) Old authority	(2) Relevant new authority
Dyfed Family Health Services Authority	Dyfed Powys Health Authority

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(1) Old authority	(2) Relevant new authority
Gwent Family Health Services Authority	Gwent Health Authority
Gwynedd Family Health Services Authority	North Wales Health Authority
Powys Family Health Services Authority	Dyfed Powys Health Authority
South Glamorgan Family Health Services Authority	Bro Taf Health Authority
West Glamorgan Family Health Services Authority	Morgannwg Health Authority

SCHEDULE 2

articles 1(2), 5(3) and 13(2)

RELEVANT NEW AUTHORITIES FOR OLD AUTHORITIES
WHOSE DISTRICTS OR LOCALITIES COMPRISE OR FORM
PART OF THE AREA OF MORE THAN ONE NEW AUTHORITY

PART I

DISTRICT HEALTH AUTHORITIES (ENGLAND)

(1) Old authority	(2) Relevant new authority for certain purposes	(3) Relevant new authority for all remaining purposes
Grimsby and Scunthorpe Health Authority	South Humber Health Authority	East Riding Health Authority
Wiltshire and Bath Health Authority	Avon Health Authority	Wiltshire Health Authority

PART II

DISTRICT HEALTH AUTHORITIES (WALES)

(1) Old authority	(2) Relevant new authority for certain purposes	(3) Relevant new authority for all remaining purposes
Clwyd Health Authority	Dyfed Powys Health Authority	North Wales Health Authority
Mid Glamorgan Health Authority	Gwent Health Authority, Morgannwg Health Authority	Bro Taf Health Authority

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PART III

FAMILY HEALTH SERVICES AUTHORITIES (ENGLAND)

(1) Old authority	(2) Relevant new authority for certain purposes	(3) Relevant new authority for all remaining purposes
Cambridgeshire Family Health Services Authority	North West Anglia Health Authority	Cambridge & Huntingdon Health Authority
Cheshire Family Health Services Authority	South Cheshire Health Authority	North Cheshire Health Authority
Cumbria Family Health Services Authority	Morecambe Bay Health Authority	North Cumbria Health Authority
Derbyshire Family Health Services Authority	North Derbyshire Health Authority, West Pennine Health Authority	Southern Derbyshire Health Authority
Devon Family Health Services Authority	South and West Devon Health Authority	North and East Devon Health Authority
Essex Family Health Services Authority	South Essex Health Authority	North Essex Health Authority
Hampshire Family Health Services Authority	North and Mid Hampshire Health Authority, Portsmouth and South East Hampshire Health Authority	Southampton and South West Hampshire Health Authority
Hereford and Worcester Family Health Services Authority	Herefordshire Health Authority	Worcestershire Health Authority
Hertfordshire Family Health Services Authority	West Hertfordshire Health Authority	East and North Hertfordshire Health Authority
Humberside Family Health Services Authority	South Humber Health Authority	East Riding Health Authority
Kent Family Health Services Authority	East Kent Health Authority	West Kent Health Authority
Lancashire Family Health Services Authority	East Lancashire Health Authority, Morecambe Bay Health Authority, South Lancashire Health Authority	North West Lancashire Health Authority
Norfolk Family Health Services Authority	North West Anglia Health Authority	East Norfolk Health Authority
Nottinghamshire Family Health Services Authority	North Nottinghamshire Health Authority	Nottingham Health Authority
Staffordshire Family Health Services Authority	South Staffordshire Health Authority	North Staffordshire Health Authority

(1) Old authority	(2) Relevant new authority for certain purposes	(3) Relevant new authority for all remaining purposes
Surrey Family Health Services Authority	West Surrey Health Authority	East Surrey Health Authority

PART IV

FAMILY HEALTH SERVICES AUTHORITIES (WALES)

(1) Old authority	(2) Relevant new authority for certain purposes	(3) Relevant new authority for all remaining purposes
Clywd Family Health Services Authority	Dyfed Powys Health Authority	North Wales Health Authority
Mid Glamorgan Family Health Services Authority	Gwent Health Authority, Morgannwg Health Authority	Bro Taf Health Authority

SCHEDULE 3

article 1(2)

DETERMINATION OF RELEVANT NEW AUTHORITIES FOR OLD AUTHORITIES SPECIFIED IN SCHEDULE 2

1. For the purposes of article 5(1) and (2) (accounts, and winding up of old authorities), the relevant new authority shall be the new authority specified in column (3).

2. For the purposes of articles 6(1), 7(1) and 8 (charitable trusts), the relevant new health authority shall—

- (a) where the trust is for purposes connected with any functions of the old authority which relate to a part of its district which on 1st April forms part of the area of a new authority specified in column (2), be that new authority; and
- (b) in any other case, be the new authority specified in column (3).

3. For the purposes of article 9(1) (complaints to the Health Service Commissioner) the relevant new authority shall—

- (a) where the complaint is made by or on behalf of a person who at the time to which the complaint relates resided at a place which on 1st April is located in the area of a new authority specified in column (2), be that new authority; and
- (b) in any other case, be the new authority specified in column (3).

4. For the purposes of article 10(1) (other complaints) the relevant new authority shall—

- (a) as respects a complaint in relation to a medical practitioner—
 - (i) where the complaint is made by or in relation to a patient who, at the time to which the complaint relates, resided at a place which on 1st April 1996 is located in the area of a new authority specified in column (2), be that new authority, and ii in any other case, be the new authority specified in column (3); and
- (b) as respects any other complaint to which article 10(1) applies—

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- (i) where the complaint relates to services provided at premises located in the area of a new authority specified in column (2), be that new authority, and
 - (ii) in any other case, be the new authority specified in column (3).
5. For the purposes of article 10(2), the relevant new authority shall—
- (a) where the complaint is made in relation to a hospital which is located in the area of a new authority specified in column (2), be that new authority; and
 - (b) in any other case, be the new authority specified in column (3).
6. For the purposes of article 14, the relevant new authority shall—
- (a) where the thing done, the application or instrument made, the direction, authority or notice given or the form supplied relates to any function exercised by the old authority with respect to any part of its district or, as the case may be, its locality which forms part of the area of a new authority specified in column (2), be that new authority; and
 - (b) in any other case, be the new authority specified in column (3).
7. In this Schedule, “column (2)” and “column (3)” mean, respectively, column (2) and column (3) of Schedule 2.

SCHEDULE 4

article 1(2)

RELEVANT NEW AUTHORITIES (REGIONAL HEALTH AUTHORITIES)

(1) Old Authority	(2) Relevant new authority
Anglia and Oxford Regional Health Authority	Cambridge & Huntingdon Health Authority
Northern and Yorkshire Regional Health Authority	Newcastle & North Tyneside Health Authority
North Thames Regional Health Authority	Kensington & Chelsea and Westminster Health Authority
North West Regional Health Authority	Manchester Health Authority
South Thames Regional Health Authority	Lambeth, Southwark and Lewisham Health Authority
South and West Regional Health Authority	Avon Health Authority
Trent Regional Health Authority	Sheffield Health Authority
West Midlands Regional Health Authority	Warwickshire Health Authority

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes transitional provision in connection with the abolition, by the Health Authorities Act 1995 on 1st April 1996, of Regional Health Authorities, District Health Authorities and Family Health Services Authorities, and the establishment under that Act of Health Authorities to exercise functions, principally on behalf of the Secretary of State, in relation to the National Health Service.

In particular, the Order identifies the bodies which are to be the successors, for specified purposes, of bodies abolished on 1st April 1996 (article 1(2) and Schedules 1 to 4). Provision is made for the transfer to new employers of staff employed by the abolished bodies on 31st March 1996 (articles 2 and 3), for the transfer of property held on charitable trusts (article 4), for the accounts and the winding up of affairs of abolished bodies (article 5), and for their responsibilities in relation to charities connected with the health service (articles 6 and 7).

The Order also provides for the investigation on and after 1st April 1996 of complaints made against, or made to, an abolished body before that date (articles 9 and 10), for the continuation of Community Health Councils in existence on 31st March 1996 (article 11), for the appointment of members by voluntary organisations to Joint Consultative Committees between 1st April 1996 and 30th September 1996 (article 12), and for securing continuity in the exercise from 1st April 1996 of functions previously exercised by abolished bodies (articles 13 and 14).