



# Health and Social Care Act 2001

## CHAPTER 15

### HEALTH AND SOCIAL CARE ACT 2001

#### PART 1

##### NATIONAL HEALTH SERVICE

###### *Health service funding*

- 1 Determination of allotments to and resource limits for Health Authorities and Primary Care Trusts
- 2 Payments relating to past performance
- 3 Supplementary payments to NHS trusts and Primary Care Trusts
- 4 Public-private partnerships
- 5 Income generation

###### *Terms of employment of health service employees*

- 6 Terms and conditions of employment by health service bodies

###### *Local authority scrutiny of health service provision*

- 7 Functions of overview and scrutiny committees
- 8 Joint overview and scrutiny committees etc.
- 9 Overview and scrutiny committees: exempt information
- 10 Application to the City of London

###### *Public involvement and consultation*

- 11 Public involvement and consultation

###### *Independent advocacy services*

- 12 Independent advocacy services

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### *Intervention powers*

#### 13 Intervention orders

#### *Abolition of Medical Practices Committee and National Health Service Tribunal*

#### 14 Abolition of Medical Practices Committee

#### 15 Vacancies for medical practitioners

#### 16 Abolition of NHS Tribunal

#### *General and personal medical services, general dental services, general ophthalmic services and pharmaceutical services*

#### 17 Remuneration of general medical practitioners

#### 18 Out of hours medical services

#### 19 Enhanced criminal record certificates

#### 20 Medical, dental, ophthalmic and pharmaceutical etc. lists

#### 21 Conditional inclusion in medical, dental, ophthalmic and pharmaceutical lists

#### 22 Dental corporations

#### 23 Declaration of financial interests, gifts, etc.

#### 24 Supplementary lists

#### 25 Suspension and disqualification of practitioners

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#### 26 PMS and PDS lists

#### *The Family Health Services Appeal Authority*

#### 27 The Family Health Services Appeal Authority

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#### 28 Pilot schemes

#### 29 Making pilot schemes

#### 30 Designation of priority neighbourhoods or premises

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#### 31 Reviews of pilot schemes

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#### *NHS contracts and financial provisions*

#### 33 NHS contracts

#### 34 Funding of preparatory work

#### 35 Charges, recovery of payments and penalties

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### *General*

- 36 Effect of the 1977 Act
- 37 Premises from which piloted services may be provided
- 38 Control of entry regulations

### *Assessing the result of pilot schemes*

- 39 Assessing pilot schemes

### *Provision for local pharmaceutical schemes*

- 40 Provision for LPS schemes

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- 41 Corresponding provision and application of enactments

## **CHAPTER 2**

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- 43 Remote provision of pharmaceutical, etc. services

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- 54 Funding by resident etc. of more expensive accommodation
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- 57 Direct payments
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SCHEDULE 2 — Pilot Schemes

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SCHEDULE 4 — Partnership Arrangements: Transfer of Staff

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SCHEDULE 5 — Minor and consequential amendments

Part 1 — NATIONAL HEALTH SERVICE

- 1 *Health Services and Public Health Act 1968 (c. 46)*
  - 2 *House of Commons Disqualification Act 1975 (c. 24)*
  - 3 In Part 3 of Schedule 1 to that Act (which...
  - 4 *Patents Act 1977 (c. 37)*
  - 5 *National Health Service Act 1977 (c. 49)*
  - 6 *Mental Health Act 1983 (c. 20)*
  - 7 *Copyright, Designs and Patents Act 1988 (c. 19)*
  - 8 *National Health Service and Community Care Act 1990 (c. 48)*
  - 9 *Trade Union and Labour Relations (Consolidation) Act 1992 (c. 46)*
  - 10 *Tribunals and Inquiries Act 1992 (c. 53)*
  - 11 *National Health Service (Primary Care) Act 1997 (c. 46)*
  - 12 *Health Act 1999 (c. 8)*
  - 13 *Local Government Act 2000 (c. 22)*
  - 14 *Freedom of Information Act 2000 (c. 36)*
- Part 2 — SOCIAL CARE
- 15 *Local Authority Social Services Act 1970 (c. 42)*
  - 16 *Carers and Disabled Children Act 2000 (c. 16)*
- PART 3 — PATIENT INFORMATION
- 17 *House of Commons Disqualification Act 1975 (c. 24)*
  - 18 *Freedom of Information Act 2000 (c. 36)*

SCHEDULE 6 — Repeals

- Part 1 — NATIONAL HEALTH SERVICE
- Part 2 — PHARMACEUTICAL SERVICES
- Part 3 — SOCIAL CARE

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**Changes and effects yet to be applied to :**

- s. 4 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 6(1) coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 7(3)(b) words inserted by [2002 c. 17 s. 21](#)
- s. 7(4) words inserted by [2002 c. 17 Sch. 5 para. 50](#)
- s. 8 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 9 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 10 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 19 repealed by [2003 c. 44 Sch. 37 Pt. 11](#)
- s. 20(7) coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 23(4)(5) coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 45 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 46 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 46(5) words inserted by [2002 c. 17 Sch. 5 para. 51](#)
- s. 47 coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- s. 57(3)-(5)(7) amendment to earlier affecting provision 1989 c. 41 s. 17A by [2008 c. 14 Sch. 14 para. 1](#)
- Sch. 1 para. 11 substituted for s. Sch. 1 para. 11 12 by [2003 c. 43 Sch. 11 para. 72\(2\)](#)
- Sch. 1 para. 13 words substituted by [2003 c. 43 Sch. 11 para. 72\(3\)](#)
- Sch. 5 para. 5(3)(11)para. 5(12)(a)(14)(17) coming into force by [S.I. 2006/1407 art. 1\(1\)Sch. 1 Pt. 2 para. 8](#)
- Sch. 5 para. 5(12)(c) repealed by [S.I. 2006/1407 Sch. 2](#)
- Sch. 5 para. 5(13)(c) repealed by [S.I. 2006/1407 Sch. 2](#)
- Sch. 5 para. 12(2) repealed by [S.I. 2006/1407 Sch. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41(2A) inserted by [S.I. 2006/1407 Sch. 1 Pt. 2 para. 7](#)