



Health and Social Care Act 2012

CHAPTER 7

HEALTH AND SOCIAL CARE ACT 2012

PART 1

THE HEALTH SERVICE IN ENGLAND

The health service: overview

- 1 Secretary of State's duty to promote comprehensive health service
- 2 The Secretary of State's duty as to improvement in quality of services
- 3 The Secretary of State's duty as to the NHS Constitution
- 4 The Secretary of State's duty as to reducing inequalities
- 5 The Secretary of State's duty as to promoting autonomy
- 6 The Secretary of State's duty as to research
- 7 The Secretary of State's duty as to education and training
- 8 Secretary of State's duty as to reporting on and reviewing treatment of providers
- 9 The NHS Commissioning Board
- 10 Clinical commissioning groups

Arrangements for provision of health services

- 11 The Secretary of State's duty as to protection of public health
- 12 Duties as to improvement of public health
- 13 Duties of clinical commissioning groups as to commissioning certain health services
- 14 Power of clinical commissioning groups as to commissioning certain health services
- 15 Power to require Board to commission certain health services
- 16 Secure psychiatric services
- 17 Other services etc. provided as part of the health service

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- 18 Regulations as to the exercise by local authorities of certain public health functions
- 19 Regulations relating to EU obligations
- 20 Regulations as to the exercise of functions by the Board or clinical commissioning groups
- 21 Functions of Special Health Authorities
- 22 Exercise of public health functions of the Secretary of State

Further provision about the Board

- 23 The NHS Commissioning Board: further provision
- 24 Financial arrangements for the Board

Further provision about clinical commissioning groups

- 25 Clinical commissioning groups: establishment etc.
- 26 Clinical commissioning groups: general duties etc.
- 27 Financial arrangements for clinical commissioning groups
- 28 Requirement for primary medical services provider to belong to clinical commissioning group

Further provision about local authorities' role in the health service

- 29 Other health service functions of local authorities under the 2006 Act
- 30 Appointment of directors of public health
- 31 Exercise of public health functions of local authorities
- 32 Complaints about exercise of public health functions by local authorities

Abolition of Strategic Health Authorities and Primary Care Trusts

- 33 Abolition of Strategic Health Authorities
- 34 Abolition of Primary Care Trusts

Functions relating to fluoridation of water

- 35 Fluoridation of water supplies
- 36 Procedural requirements in connection with fluoridation of water supplies
- 37 Fluoridation of water supplies: transitional provision

Functions relating to mental health matters

- 38 Approval functions
- 39 Discharge of patients
- 40 After-care
- 41 Provision of pocket money for in-patients
- 42 Transfers to and from special hospitals
- 43 Independent mental health advocates
- 44 Patients' correspondence
- 45 Notification of hospitals having arrangements for special cases

Emergency powers

- 46 Role of the Board and clinical commissioning groups in respect of emergencies
- 47 Secretary of State's emergency powers

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Miscellaneous

- 48 New Special Health Authorities
- 49 Primary care services: directions as to exercise of functions
- 50 Charges in respect of certain public health functions
- 51 Pharmaceutical services expenditure
- 52 Secretary of State's duty to keep health service functions under review
- 53 Secretary of State's annual report
- 54 Certification of death
- 55 Amendments related to Part 1 and transitional provision

PART 2

FURTHER PROVISION ABOUT PUBLIC HEALTH

- 56 Abolition of Health Protection Agency
- 57 Functions in relation to biological substances
- 58 Radiation protection functions
- 59 Repeal of AIDS (Control) Act 1987
- 60 Co-operation with bodies exercising functions in relation to public health

PART 3

REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

CHAPTER 1

MONITOR

- 61 Monitor
- 62 General duties
- 63 Secretary of State's guidance on duty under section 62(9)
- 64 General duties: supplementary
- 65 Power to give Monitor functions relating to adult social care services
- 66 Matters to have regard to in exercise of functions
- 67 Conflicts between functions
- 68 Duty to review regulatory burdens
- 69 Duty to carry out impact assessments
- 70 Information
- 71 Failure to perform functions

CHAPTER 2

COMPETITION

- 72 Functions under the Competition Act 1998
- 73 Functions under Part 4 of the Enterprise Act 2002
- 74 Competition functions: supplementary
- 75 Requirements as to procurement, patient choice and competition
- 76 Requirements under section 75: investigations, declarations and directions
- 77 Requirements under section 75: undertakings
- 78 Guidance
- 79 Mergers involving NHS foundation trusts

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80 Co-operation with the CMA

CHAPTER 3

LICENSING

Licensing requirement

- 81 Requirement for health service providers to be licensed
- 82 Deemed breach of requirement to be licensed
- 83 Exemption regulations
- 84 Exemption regulations: supplementary

Licensing procedure

- 85 Application for licence
- 86 Licensing criteria
- 87 Grant or refusal of licence
- 87A Application and grant: NHS trusts
- 88 Application and grant: NHS foundation trusts
- 89 Revocation of licence
- 90 Right to make representations
- 91 Notice of decisions
- 92 Appeals to the Tribunal
- 93 Register of licence holders

Licence conditions

- 94 Standard conditions
- 95 Special conditions
- 96 Limits on NHS England's functions to set or modify licence conditions
- 97 Conditions: supplementary
- 98 Conditions relating to the continuation of the provision of services etc.
- 99 Notification of commissioners where continuation of services at risk
- 100 Modification of standard conditions
- 101 Modification references to the CMA
- 102 Modification of conditions by order under other enactments
- 103 Standard condition as to transparency of certain criteria

Enforcement

- 104 Power to require documents and information
- 105 Discretionary requirements
- 106 Enforcement undertakings
- 107 Further provision about enforcement powers
- 108 Guidance as to use of enforcement powers
- 109 Publication of enforcement action
- 110 Notification of enforcement action

Transitional provision

- 111 Imposition of licence conditions on NHS foundation trusts
- 112 Duration of transitional period
- 113 Orders under section 112: criteria for deciding applicable trusts
- 114 Repeal of sections 112 and 113

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CHAPTER 4

THE NHS PAYMENT SCHEME

- 114A The NHS payment scheme
- 114B The NHS payment scheme: enforcement
- 114C The NHS payment scheme: impact assessment and consultation
- 114D Objections to proposed NHS payment scheme
- 114E Amendments of the NHS payment scheme
- 114F Interpretation
- 115 Price payable by commissioners for NHS services
- 116 The national tariff
- 117 The national tariff: further provision
- 118 Consultation on proposals for the national tariff
- 119 Consultation: further provision
- 120 Responses to consultation
- 121 Determination on reference under section 120
- 122 Changes following determination on reference under section 120
- 123 Power to veto changes proposed under section 122
- 124 Local modifications of prices: agreements
- 125 Local modifications of prices: applications
- 126 Applications under section 125: notification of commissioners
- 127 Correction of mistakes

CHAPTER 5

HEALTH SPECIAL ADMINISTRATION

- 128 Health special administration orders
- 129 Objective of a health special administration
- 130 Health special administration regulations
- 131 Transfer schemes
- 132 Indemnities
- 133 Modification of this Chapter under Enterprise Act 2002

CHAPTER 6

FINANCIAL ASSISTANCE IN SPECIAL ADMINISTRATION CASES

Establishment of mechanisms

- 134 Duty to establish mechanisms for providing financial assistance
- 135 Power to establish fund

Applications for financial assistance

- 136 Applications
- 137 Grants and loans

Charges on commissioners

- 138 Power to impose charges on commissioners

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Levy on providers

- 139 Imposition of levy
- 140 Power of Secretary of State to set limit on levy and charges
- 141 Consultation
- 142 Responses to consultation
- 143 Amount payable

Supplementary

- 144 Investment principles and reviews
- 145 Borrowing
- 146 Shortfall or excess of available funds, etc.

CHAPTER 7

MISCELLANEOUS AND GENERAL

- 147 Secretary of State's duty as respects variation in provision of health services
- 148 Service of documents
- 149 Electronic communications
- 150 Interpretation, transitional provision and consequential amendments

PART 4

NHS FOUNDATION TRUSTS & NHS TRUSTS

Governance and management

- 151 Governors
- 152 Directors
- 153 Members
- 154 Accounts: initial arrangements
- 155 Accounts: variations to initial arrangements
- 156 Annual report and forward plan
- 157 Meetings
- 158 Voting

Foundation trust status

- 159 Authorisation
- 160 Bodies which may apply for foundation trust status
- 161 Amendment of constitution
- 162 Panel for advising governors

Finance

- 163 Financial powers etc.

Functions

- 164 Goods and services
- 165 Private health care
- 166 Information
- 167 Significant transactions

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Mergers, acquisitions, separations and dissolution

- 168 Mergers
- 169 Acquisitions
- 170 Separations
- 171 Dissolution
- 172 Supplementary

Failure

- 173 Repeal of de-authorisation provisions
- 174 Trust special administrators
- 175 Objective of trust special administration
- 176 Procedure etc.
- 177 Action following final report
- 178 Sections 174 to 177: supplementary

Abolition of NHS trusts

- 179 Abolition of NHS trusts in England
- 180 Repeal of provisions on authorisation for NHS foundation trusts

PART 5

PUBLIC INVOLVEMENT AND LOCAL GOVERNMENT

CHAPTER 1

PUBLIC INVOLVEMENT

Healthwatch England

- 181 Healthwatch England

Local Healthwatch organisations

- 182 Activities relating to local care services
- 183 Local authority arrangements
- 184 Local arrangements: power to make further provision
- 185 Independent advocacy services
- 186 Requests, rights of entry and referrals
- 187 Annual reports
- 188 Transitional arrangements
- 189 Consequential provision

CHAPTER 2

LOCAL GOVERNMENT

Scrutiny functions of local authorities

- 190 Scrutiny functions of local authorities
- 191 Amendments consequential on section 190

Joint strategic needs assessments and strategies

- 192 Joint strategic needs assessments

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193 Joint health and wellbeing strategies

Health and Wellbeing Boards: establishment

194 Establishment of Health and Wellbeing Boards

Health and Wellbeing Boards: functions

195 Duty to encourage integrated working

196 Other functions of Health and Wellbeing Boards

Health and Wellbeing Boards: supplementary

197 Participation of NHS England

198 Discharge of functions of Health and Wellbeing Boards

199 Supply of information to Health and Wellbeing Boards

Care Trusts

200 Care Trusts

CHAPTER 3

THE HEALTH SERVICE COMMISSIONER FOR ENGLAND

201 Disclosure of reports etc. by the Health Service Commissioner

PART 6

PRIMARY CARE SERVICES

202 Medical services: minor amendments

203 Persons eligible to enter into general dental services contracts

204 Arrangements under section 107 of the National Health Service Act 2006

205 Payments in respect of costs of sight tests

206 Pharmaceutical needs assessments

207 Control of entry on pharmaceutical lists

208 Lists of performers of pharmaceutical services and assistants etc.

PART 7

REGULATION OF HEALTH AND SOCIAL CARE WORKERS

Orders under section 60 of the Health Act 1999

209 Power to regulate social workers etc. in England

210 Training etc. of approved mental health professionals in England

211 Orders regulating social care workers in England: further provision

The General Social Care Council

212 Abolition of the General Social Care Council

The Health and Care Professions Council

213 Regulation of social workers in England

214 The Health and Care Professions Council

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- 215 Functions of the Council in relation to social work in England
- 216 Appeals in cases involving social workers in England
- 217 Approval of courses for approved mental health professionals
- 218 Exercise of function of approving courses, etc.
- 219 Arrangements with other health or social care regulators
- 220 References in enactments to registered health professionals, etc.

Role of the Secretary of State

- 221 Functions of the Secretary of State in relation to social care workers

The Professional Standards Authority for Health and Social Care

- 222 The Professional Standards Authority for Health and Social Care
- 223 Functions of the Authority
- 224 Funding of the Authority
- 225 Power to advise regulatory bodies, investigate complaints, etc.
- 226 Accountability and governance
- 227 Appointments to regulatory bodies
- 228 Establishment of voluntary registers
- 229 Accreditation of voluntary registers

Consequential provision etc.

- 230 Consequential provisions and savings, etc.

The Office of the Health Professions Adjudicator

- 231 Abolition of the Office of the Health Professions Adjudicator

PART 8

THE NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Establishment and general duties

- 232 The National Institute for Health and Care Excellence
- 233 General duties

Functions: quality standards

- 234 Quality standards
- 235 Supply of quality standards to other persons
- 236 Advice or guidance to the Secretary of State or NHS England

Functions: advice, guidance etc.

- 237 Advice, guidance, information and recommendations
- 238 NICE recommendations: appeals
- 239 Training
- 240 Advisory services
- 241 Commissioning guidance

Functions: other

- 242 NICE's charter
- 243 Additional functions
- 244 Arrangements with other bodies

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- 245 Failure by NICE to discharge any of its functions
- 246 Protection from personal liability

Supplementary

- 247 Interpretation of this Part
- 248 Dissolution of predecessor body
- 249 Consequential and transitional provision

PART 9

HEALTH AND ADULT SOCIAL CARE SERVICES: INFORMATION

CHAPTER 1

INFORMATION STANDARDS

- 250 Powers to publish information standards
- 251 Information standards: supplementary

CHAPTER 1A

CONTINUITY OF INFORMATION

- 251A Consistent identifiers
- 251B Duty to share information
- 251C Continuity of information: interpretation

CHAPTER 2

NHS ENGLAND: HEALTH AND SOCIAL CARE INFORMATION ETC.

... General duties

- 252 The Health and Social Care Information Centre
- 253 NHS England data functions: general

Functions: information systems

- 254 Powers to direct NHS England to establish information systems
- 255 Powers to request NHS England to establish information systems
- 256 Requests for collection under section 255: confidential information
- 257 Requests under section 255: supplementary
- 258 Information systems: supplementary
- 259 Powers to require and request provision of information
- 260 Publication of information
- 261 Other dissemination of information
- 262 Other dissemination: directions and requests under sections 254 and 255
- 262A Publication and other dissemination: supplementary
- 263 Code of practice on confidential information
- 264 Information Register
- 265 Advice or guidance

Functions: quality of health and social care information

- 266 Assessment of quality of information

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267 Power to establish accreditation scheme

Functions: other

268 Database of quality indicators

269 Power to confer functions in relation to identification of GPs

270 Additional functions

271 Arrangements with other bodies

272 Failure by Information Centre to discharge any of its functions

273 Protection from personal liability

General and supplementary

274 Powers of Secretary of State or NHS England to give directions

274A Secretary of State's guidance about NHS England data functions

275 Interpretation of this Chapter

276 Dissolution of predecessor body

277 Consequential provision

CHAPTER 3

INFORMATION ABOUT ADULT SOCIAL CARE

277A Provision of adult social care information to Secretary of State

277B Restrictions on onward disclosure of information

277C Directions to certain bodies to exercise functions under this Chapter

277D Arrangements with third parties

CHAPTER 4

ENFORCEMENT

277E Enforcement of provisions under this Part

277F Directions to Special Health Authority to exercise functions under section 277E

PART 10

ABOLITION OF CERTAIN PUBLIC BODIES ETC

278 The Alcohol Education and Research Council

279 The Appointments Commission

280 The National Information Governance Board for Health and Social Care

281 The National Patient Safety Agency

282 The NHS Institute for Innovation and Improvement

283 Standing advisory committees

PART 11

MISCELLANEOUS

Information relating to births and deaths etc.

284 Special notices of births and deaths

285 Provision of information by Registrar General

286 Provision of information by Registrar General: Wales

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287 Provision of statistical information by Statistics Board

Duties to co-operate

288 Monitor: duty to co-operate with Care Quality Commission

289 Care Quality Commission: duty to co-operate with Monitor

290 Other duties to co-operate

291 Breaches of duties to co-operate

The Care Quality Commission

292 Requirement for Secretary of State to approve remuneration policy etc.

293 Conduct of reviews etc.

294 Failure to discharge functions

Arrangements with devolved authorities etc.

295 Arrangements between NHS England and Northern Ireland Ministers

296 Arrangements between NHS England and Scottish Ministers etc.

296A Arrangements between NHS England and devolved authorities in respect of education and training

297 Relationships between the health services

298 Advice or assistance to public authorities in the Isle of Man or Channel Islands

Supervised community treatment under the Mental Health Act 1983

299 Certificate of consent of community patients to treatment

Transfer schemes

300 Transfer schemes

301 Transfer schemes: supplemental

302 Transfer schemes in respect of previously transferred property

PART 12

FINAL PROVISIONS

303 Power to make consequential provision

304 Regulations, orders and directions

305 Financial provision

306 Commencement

307 Commencement: consultation with Scottish Ministers

308 Extent

309 Short title

SCHEDULES

SCHEDULE 1 — The National Health Service Commissioning Board

SCHEDULE 2 — Clinical commissioning groups

SCHEDULE 3 — Pharmaceutical remuneration

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SCHEDULE 4 — Amendments of the National Health Service Act 2006

PART 1 — THE HEALTH SERVICE IN ENGLAND

- 1 (1) For section 2 substitute— General power The Secretary of State, the Board or a clinical commissioning...
- 2 (1) Section 6 (performance of functions outside England) is amended...
- 3 (1) Section 6A (reimbursement of cost of services provided in...
- 4 (1) Section 6B (prior authorisation for the purposes of section...
- 5 (1) In section 8 (Secretary of State's directions to health...
- 6 (1) Section 9 (NHS contracts) is amended as follows.
- 7 In section 11 (arrangements to be treated as NHS contracts),...
- 8 (1) Section 12 (arrangements with other bodies) is amended as...
- 9 After section 12 insert— Commissioning arrangements by the Board or...
- 10 (1) Section 12A (direct payments for health care) is amended...
- 11 (1) Section 12B (regulations about direct payments) is amended as...
- 12 In section 12D (arrangements with other bodies relating to direct...

PART 2 — NHS BODIES

- 13 In section 28 (special health authorities), omit subsection (6).
- 14 In section 29 (exercise of Special Health Authority functions), in...
- 15 Omit Chapter 5B of Part 2 (trust special administrators: Primary...
- 16 In section 67 (effect of intervention orders), in subsection (1)—...
- 17 In section 70 (transfer of residual liabilities)—
- 18 (1) Section 71 (schemes for meeting losses and liabilities in...
- 19 In section 73 (directions and regulations), in subsection (1) omit...
- 20 Omit Schedule 2.
- 21 Omit Schedule 3.
- 22 (1) Schedule 4 (NHS trusts) is amended as follows.
- 23 (1) Schedule 6 (special health authorities established under section 28)...

PART 3 — LOCAL AUTHORITIES

- 24 In section 74 (supply of goods and services by local...
- 25 In section 76 (power of local authorities to make payments),...
- 26 In section 77 (Care Trusts), in each of subsections (1)(a),...
- 27 In section 78 (directed partnership agreements), in subsection (3)—
- 28 (1) Section 80 (supply of goods and services by the...
- 29 (1) Section 81 (conditions of supply under section 80) is...

PART 4 — MEDICAL SERVICES

- 30 (1) Section 83 (duty relating to primary medical services) is...
- 31 (1) Section 84 (general medical services contracts: introductory) is amended...
- 32 In section 86 (persons eligible to enter into general medical...
- 33 In section 87 (general medical services contracts: payments), in subsection...
- 34 (1) In section 89 (general medical services contracts: required terms),...
- 35 (1) Section 91 (persons performing primary medical services) is amended...
- 36 (1) Section 92 (arrangements by Strategic Health Authorities for the...
- 37 (1) Section 93 (participants in section 92 arrangements) is amended...
- 38 (1) Section 94 (regulations about section 92 arrangements) is amended...
- 39 Omit section 95 (transfer of liabilities relating to section 92...
- 40 (1) Section 96 (assistance and support) is amended as follows...
- 41 (1) Section 97 (Local Medical Committees) is amended as follows....

PART 5 — DENTAL SERVICES

- 42 (1) Section 99 (duty relating to primary dental services) is...

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- 43 (1) Section 100 (general dental services contracts: introductory) is amended...
- 44 In section 102 (persons eligible to enter into general dental...
- 45 In section 103 (general dental services contracts: payments), in subsection...
- 46 In section 104 (general dental services contracts: required terms), in...
- 47 (1) Section 106 (persons performing primary dental services) is amended...
- 48 (1) Section 107 (arrangements by Strategic Health Authorities for the...
- 49 (1) Section 108 (participants in section 107 arrangements) is amended...
- 50 (1) Section 109 (regulations about section 107 arrangements) is amended...
- 51 Omit section 110 (transfer of liabilities relating to section 107...
- 52 (1) Section 112 (assistance and support) is amended as follows....
- 53 (1) Section 113 (Local Dental Committees) is amended as follows....
- PART 6 — OPHTHALMIC SERVICES
- 54 (1) Section 115 (duty relating to primary ophthalmic services) is...
- 55 (1) Section 117 (general ophthalmic services contracts: introductory) is amended...
- 56 In section 118 (persons eligible to enter into general ophthalmic...
- 57 In section 119 (exclusion of contractors), for “a Primary Care...
- 58 In section 120 (general ophthalmic services contracts: payments), in subsection...
- 59 In section 121 (general ophthalmic services contracts: other required terms),...
- 60 (1) Section 123 (persons performing primary ophthalmic services) is amended...
- 61 (1) Section 124 (primary ophthalmic services: assistance and support) is...
- 62 (1) Section 125 (Local Optical Committees) is amended as follows....
- PART 7 — PHARMACEUTICAL SERVICES
- 63 (1) Section 126 (arrangements for pharmaceutical services) is amended as...
- 64 (1) Section 127 (arrangements for additional pharmaceutical services) is amended...
- 65 (1) Section 128 (terms and conditions of arrangements under section...
- 66 (1) Section 129 (regulations as to pharmaceutical services) is amended...
- 67 In section 130 (regulations about appeals from decisions on applications...
- 68 (1) Section 131 (power to charge fee to applicants) is...
- 69 (1) Section 132 (persons authorised to provide pharmaceutical services) is...
- 70 (1) Section 133 (inadequate provision of pharmaceutical services) is amended...
- 71 (1) Section 134 (pilot schemes) is amended as follows.
- 72 In section 136 (designation of priority neighbourhoods or premises), in...
- 73 In section 137 (reviews of pilot schemes), in subsection (3)(a),...
- 74 (1) Section 138 (variation and termination of pilot schemes) is...
- 75 (1) Section 140 (funding of preparatory work) is amended as...
- 76 (1) In section 144 (local pharmaceutical services schemes)—
- 77 (1) Section 148 (conditional inclusion in pharmaceutical lists) is amended...

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- 78 (1) Section 150A (notices and penalties) is amended as follows....
- 79 (1) Section 151 (disqualification of practitioners) is amended as follows....
- 80 (1) Section 152 (contingent removal) is amended as follows.
- 81 In section 154 (suspension), in subsections (1), (3), (4), (6)(b)...
- 82 (1) Section 155 (suspension pending removal) is amended as follows....
- 83 (1) Section 157 (review of decisions) is amended as follows....
- 84 (1) Section 158 (appeals) is amended as follows.
- 85 (1) Section 159 (national disqualification) is amended as follows.
- 86 In section 160 (notification of decisions), for “a Primary Care...
- 87 In section 161 (withdrawal from lists), in paragraphs (a) and...
- 88 (1) Section 162 (regulations about decisions under Chapter 6 of...
- 89 (1) Section 164 (remuneration for persons providing pharmaceutical services) is...
- 90 (1) Section 166 (indemnity cover) is amended as follows.
- 91 (1) Section 167 (local pharmaceutical committees) is amended as follows....
- 92 (1) Schedule 11 (pilot schemes) is amended as follows.
- 93 (1) Schedule 12 (LPS schemes) is amended as follows.
- PART 8 — CHARGING
- 94 In section 176 (dental charging)— (a) in subsection (3), for...
- 95 In section 177 (exemptions from dental charging), in subsection (4),...
- 96 (1) Section 180 (payments in respect of costs of optical...
- 97 (1) Section 181 (provision supplementary to section 180) is amended...
- 98 (1) Section 183 (payment of travelling expenses) is amended as...
- 99 In section 185 (charges for more expensive supplies), in subsection...
- 100 In section 186 (charges for repairs and replacements in certain...
- 101 In section 187 (charges for designated services or facilities) for...
- 102 In section 188 (sums otherwise payable to those providing services),...
- PART 9 — FRAUD ETC.
- 103 (1) Section 195 (compulsory disclosure of documents) is amended as...
- 104 (1) Section 196 (persons and bodies about which provision is...
- 105 (1) Section 197 (notice requiring production of documents) is amended...
- 106 In section 201 (disclosure of information), in subsection (3)(a) for...
- 107 (1) Section 210 (interpretation of Part 10) is amended as...
- PART 10 — PROPERTY AND FINANCE
- 108 (1) Section 211 (acquisition, use and maintenance of property) is...
- 109 In section 213 (transfers of trust property), in subsection (2)(c)—...
- 110 (1) Section 214 (transfer of functions and property to or...
- 111 (1) Section 215 (trustees and property under section 222) is...
- 112 In section 216 (application of trust property: further provisions), in...
- 113 In section 217 (trusts: supplementary provisions), in subsection (1)—...
- 114 In section 218 (private trusts for hospitals), in subsection (4)—...
- 115 In section 220 (trust property previously held for general hospital...
- 116 (1) Section 222 (power to raise money) is amended as...
- 117 (1) In section 223 (formation of companies), in each of...
- 118 Omit section 224 (means of meeting expenditure of Strategic Health...
- 119 (1) Section 226 (financial duties of Strategic Health Authorities and...
- 120 (1) Section 227 (resource limits for Strategic Health Authorities and...
- 121 Omit sections 228 to 231 (funding of Primary Care Trusts...
- 122 In section 234 (special arrangement as to payment of remuneration),...

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- 123 (1) Section 236 (payment for medical examination before application for...
 124 Omit Schedule 14 (further provision about expenditure of Primary Care...
 125 (1) Schedule 15 (accounts and audits) is amended as follows....
 PART 11 — PUBLIC INVOLVEMENT AND SCRUTINY
 126 (1) Section 242 (public involvement and consultation) is amended as...
 127 Omit sections 242A and 242B (duties of Strategic Health Authorities...
 PART 12 — MISCELLANEOUS
 128 After section 254 insert— Support functions of the Secretary of...
 129 (1) Section 256 (power of Primary Care Trusts to make...
 130 In section 257 (payments in respect of voluntary organisations under...
 131 (1) Section 258 (university clinical teaching and research) is amended...
 132 (1) Section 259 (sale of medical practices) is amended as...
 133 Omit section 268 (persons displaced by health service development), and...
 134 In section 271 (territorial limit of exercise of functions), in...
 135 After section 271 insert— Services to be treated as services...
 136 (1) Section 272 (orders, regulations, rules and directions) is amended...
 137 (1) Section 273 (further provision about orders and directions) is...
 138 (1) Section 275 (interpretation) is amended as follows.
 139 (1) Section 276 (index of defined expressions) is amended as...

SCHEDULE 5 — Part 1: amendments of other enactments

Voluntary Hospitals (Paying Patients) Act 1936 (c. 17)

- 1 In section 1 of the Voluntary Hospitals (Paying Patients) Act...

National Assistance Act 1948 (c. 29)

- 2 The National Assistance Act 1948 is amended as follows.
 3 (1) Section 24 (local authority's liability for provision of accommodation)...
 4 In section 26 (provision of accommodation in premises maintained by...

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)

- 5 In Part 1 of Schedule 2 to the Reserve and...

Public Records Act 1958 (c. 51)

- 6 In Schedule 1 to the Public Records Act 1958 (bodies...

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 7 In the Schedule to the Public Bodies (Admission to Meetings)...

Parliamentary Commissioner Act 1967 (c. 13)

- 8 In Schedule 3 to the Parliamentary Commissioner Act 1967 (matters...

Abortion Act 1967 (c. 87)

- 9 In section 1 of the Abortion Act 1967 (location of...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Leasehold Reform Act 1967 (c. 88)

- 10 In section 28 of the Leasehold Reform Act 1967 (land...

Health Services and Public Health Act 1968 (c. 46)

- 11 The Health Services and Public Health Act 1968 is amended...
12 (1) Section 63 (provision of instruction for officers of hospital...
13 In section 64 (financial assistance to certain voluntary organisations),
in...

Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

- 14 In section 3 of the Employers' Liability (Compulsory Insurance) Act...

Local Authority Social Services Act 1970 (c. 42)

- 15 In Schedule 1 to the Local Authority Social Services Act...

Chronically Sick and Disabled Persons Act 1970 (c. 44)

- 16 (1) Section 17 of the Chronically Sick and Disabled Persons...

Local Government Act 1972 (c. 70)

- 17 In section 113 of the Local Government Act 1972 (placing...

Local Government Act 1974 (c. 7)

- 18 In section 26 of the Local Government Act 1974 (matters...

Health and Safety at Work etc. Act 1974 (c. 37)

- 19 (1) Section 60 of the Health and Safety at Work...

House of Commons Disqualification Act 1975 (c. 24)

- 20 In Part 3 of Schedule 1 to the House of...

Acquisition of Land Act 1981 (c. 67)

- 21 The Acquisition of Land Act 1981 is amended as follows....
22 In section 16 (land excluded from compulsory purchase), in
subsection...
23 In section 17 (special parliamentary procedure applying to compulsory
purchase...

Mental Health Act 1983 (c. 20)

- 24 The Mental Health Act 1983 is amended as follows.
25 In section 19 (regulations as to transfers of patients), in...
26 In section 23 (discharge of patients), in subsection (5)(a)—
27 In section 32 (regulations for purposes of Part 2 of...
28 (1) Section 39 (power of court to request information from...
29 In section 134 (patients' correspondence), in subsection (3)(e)—
30 In section 139 (protection for acts done in pursuance of...
31 (1) In section 145 (interpretation), in subsection (1)—

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Public Health (Control of Disease) Act 1984 (c. 22)

32 In section 13 of the Public Health (Control of Disease)...

Dentists Act 1984 (c. 24)

33 The Dentists Act 1984 is amended as follows.
 34 In section 26B (guidance for dentists), in subsection (8) omit...
 35 In section 36M (guidance for dental care professionals), in subsection...
 36 In section 40 (definition of “business of dentistry”), in subsection...
 37 In section 50D (rules: consultation), in subsection (4) omit paragraph...

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

38 The Disabled Persons (Services, Consultation and Representation) Act 1986 is...
 39 In section 2 (rights of authorised representatives of disabled persons) —...
 40 In section 7 (persons discharged from hospital), in subsection (9)—...
 41 In section 11 (reports to Parliament)— (a) in subsection (1ZA)...
 42 In section 16 (interpretation), in subsection (1)—

Dartford-Thurrock Crossing Act 1988 (c. 20)

43 In section 19 of the Dartford-Thurrock Crossing Act 1988 (exemption...

Copyright, Designs and Patents Act 1988 (c. 48)

44 In section 48 of the Copyright, Designs and Patents Act...

Health and Medicines Act 1988 (c. 49)

45 In section 7 of the Health and Medicines Act 1988...

Road Traffic Act 1988 (c. 52)

46 In section 144 of the Road Traffic Act 1988 (exception...

Children Act 1989 (c. 41)

47 The Children Act 1989 is amended as follows.
 48 In section 21 (provision of accommodation for children in police...
 49 In section 24 (persons qualifying for advice and assistance), in...
 50 In section 24C (information), in subsection (2)—
 51 In section 27 (co-operation between authorities), in subsection (3)—
 52 In section 29 (recoupment of cost of providing services), in...
 53 In section 47 (local authority's duty to investigate), in subsection...
 54 In section 80 (inspection of children's homes)—
 55 In section 85 (children accommodated by health authorities)—
 56 (1) Section 105 (interpretation) is amended as follows.

Local Government and Housing Act 1989 (c. 42)

57 In section 2 of the Local Government and Housing Act...

National Health Service and Community Care Act 1990 (c. 19)

58 The National Health Service and Community Care Act 1990 is...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 59 In section 47 (assessment of needs for community care services),...
- 60 In section 49 (transfer of staff to local authorities), in...
- 61 In section 60 (removal of crown immunities), in subsection (7)—...

Access to Health Records Act 1990 (c. 23)

- 62 The Access to Health Records Act 1990 is amended as...
- 63 In section 1, in subsection (2) (meaning of “holder” in...
- 64 In section 11 (interpretation)— (a) in the definition of “health...

London Local Authorities Act 1991 (c. xiii)

- 65 In section 4 of the London Local Authorities Act 1991...

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

- 66 In section 279 of the Trade Union and Labour Relations...

Health Service Commissioners Act 1993 (c. 46)

- 67 The Health Service Commissioners Act 1993 is amended as follows....
- 68 In section 2 (health service bodies subject to investigation), in...
- 69 In section 2A (health service providers subject to investigation), in...
- 70 (1) Section 14 (reports etc. by the Commissioner) is amended...

Health Authorities Act 1995 (c. 17)

- 71 In Schedule 2 to the Health Authorities Act 1995 (property,...

Employment Rights Act 1996 (c. 18)

- 72 The Employment Rights Act 1996 is amended as follows.
- 73 In section 43K (extension of meaning of “worker” etc for...
- 74 In section 50 (right to time off for public duties),...
- 75 In section 218 (change of employer), in subsection (10)—

Housing Grants, Construction and Regeneration Act 1996 (c. 53)

- 76 In section 3 of the Housing Grants, Construction and Regeneration...

Education Act 1996 (c. 56)

- 77 The Education Act 1996 is amended as follows.
- 78 (1) Section 322 (duty of certain bodies to help local...
- 79 (1) Section 332 (duty of certain NHS bodies to notify...
- 80 In section 579 (general interpretation), in subsection (1) in the...

Audit Commission Act 1998 (c. 18)

- 81 In section 33 of the Audit Commission Act 1998, in...

Data Protection Act 1998 (c. 29)

- 82 In section 69 of the Data Protection Act 1998 (meaning...

Crime and Disorder Act 1998 (c. 37)

- 83 The Crime and Disorder Act 1998 is amended as follows....

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- 84 In section 5 (authorities responsible for crime and disorder strategies),...
- 85 In section 38 (local provision of youth justice services), in...
- 86 In section 39 (Youth Offending Teams), in subsection (3)(b)—
- 87 In that section, in subsection (5)(d)— (a) after “nominated by”...
- 88 In section 41 (the Youth Justice Board), in subsection (10)—...
- 89 In section 42 (supplementary provisions), in subsection (3)—
- 90 In section 115, in subsection (2) (disclosure of information to...

Health Act 1999 (c. 8)

- 91 The Health Act 1999 is amended as follows.
- 92 In section 61 (English and Scottish border provisions)—
- 93 In Schedule 4 (amendments relating to Primary Care Trusts)—

Greater London Authority Act 1999 (c. 29)

- 94 In section 309E of the Greater London Authority Act 1999,...

Care Standards Act 2000 (c. 14)

- 95 In section 121 of the Care Standards Act 2000 (interpretation),...

Government Resources and Accounts Act 2000 (c. 20)

- 96 (1) Section 14 of the Government Resources and Accounts Act...

Local Government Act 2000 (c. 22)

- 97 In section 21C of the Local Government Act 2000 (reports...

Regulation of Investigatory Powers Act 2000 (c. 23)

- 98 In section 4 of the Regulation of Investigatory Powers Act...

>Freedom of Information Act 2000 (c. 36)

- 99 In Part 3 of Schedule 1 to the Freedom of...

International Development Act 2002 (c. 1)

- 100 In Schedule 1 to the International Development Act 2002 (statutory...

National Health Service Reform and Health Care Professions Act 2002 (c. 17)

- 101 The National Health Service Reform and Health Care Professions Act...
- 102 Omit Schedule 1 (English health authorities: change of name to...
- 103 Omit Schedule 2 (consequential amendments concerning the reallocation of functions...

Adoption and Children Act 2002 (c. 38)

- 104 The Adoption and Children Act 2002 is amended as follows....
- 105 In section 4 (assessments etc for adoption support services), in...
- 106 In section 8 (bodies which cannot be adoption support agencies),...

Nationality, Immigration and Asylum Act 2002 (c. 41)

- 107 In section 133(4) of the Nationality, Immigration and Asylum Act...

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Community Care (Delayed Discharges etc.) Act 2003 (c. 5)

- 108 The Community Care (Delayed Discharges etc.) Act 2003 is amended...
109 In section 1 (meaning of “NHS body” and “qualifying hospital...
110 In section 9 (dispute resolution)— (a) in subsection (1) omit...

Licensing Act 2003 (c. 17)

- 111 The Licensing Act 2003 is amended as follows.
112 In section 5(3) (statement of licensing policy)—
113 In section 13(4) (authorised persons, interested parties and responsible
authorities)—...
114 In section 16 (applicant for premises licence), in subsection (3),...
115 In section 69(4) (authorised persons, interested parties and responsible
authorities)—...
116 In section 172B(4) (procedural requirements for early morning alcohol
restriction...

Sexual Offences Act 2003 (c. 42)

- 117 In section 42 of the Sexual Offences Act 2003 (care...

Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

- 118 The Health and Social Care (Community Health and Standards) Act...
119 In section 71 (reporting to Secretary of State and regulator)—...
120 In section 113 (complaints about health care), in subsection (1),...
121 In section 148 (interpretation of Part 2), in the definition...
122 In section 160 (provision of information)— (a) in subsection (1),...
123 In section 165 (power to apply provisions about recovery of...

Criminal Justice Act 2003 (c. 44)

- 124 In section 325 of the Criminal Justice Act 2003 (arrangements...

Carers (Equal Opportunities) Act 2004 (c. 15)

- 125 (1) Section 3 of the Carers (Equal Opportunities) Act 2004...

Domestic Violence, Crime and Victims Act 2004 (c. 28)

- 126 In section 9 of the Domestic Violence, Crime and Victims...

Children Act 2004 (c. 31)

- 127 The Children Act 2004 is amended as follows.
128 In section 10 (co-operation to improve wellbeing), in subsection (4)—...
129 In section 11 (arrangements to safeguard and promote welfare), in...
130 In section 12A (establishment of children's trust boards), after
subsection...
131 In section 13 (establishment of Local Safeguarding Children Boards),
in...

Civil Contingencies Act 2004 (c. 36)

- 132 (1) Schedule 1 to the Civil Contingencies Act 2004 (lists...

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Mental Capacity Act 2005 (c. 9)

- 133 The Mental Capacity Act 2005 is amended as follows.
 134 In section 35 (appointment of independent mental capacity advocates)—
 135 In section 64 (interpretation), in subsection (1) in the definition...
 136 (1) Schedule A1 (hospital and care home residents: deprivation of...

Childcare Act 2006 (c. 21)

- 137 In section 4 of the Childcare Act 2006 (duty of...

Emergency Workers (Obstruction) Act 2006 (c. 39)

- 138 In section 1 of the Emergency Workers (Obstruction) Act 2006...

National Health Service (Consequential Provisions) Act 2006 (c. 43)

- 139 In Schedule 1 to the National Health Service (Consequential Provisions)...

NHS Redress Act 2006 (c. 44)

- 140 The NHS Redress Act 2006 is amended as follows.
 141 In section 1, in subsection (3)— (a) after paragraph (a)...
 142 In section 18 (interpretation), in subsection (1) omit the definition...

Safeguarding Vulnerable Groups Act 2006 (c. 47)

- 143 The Safeguarding Vulnerable Groups Act 2006 is amended as follows...
 144 In section 6 (regulated activity providers)— (a) omit subsection (8D),...
 145 In section 17 (NHS employment) in subsection (3)—
 146 In section 22 (controlled activity relating to vulnerable adults), in...

Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)

- 147 In section 6 of the Corporate Manslaughter and Corporate Homicide...

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 148 The Local Government and Public Involvement in Health Act 2007...
 149 (1) Section 222 (arrangements relating to local care services) is...
 150 In section 224 (duties of services-providers to respond to local...
 151 In section 225 (duties of services-providers to allow entry by...
 152 In section 227 (annual reports), in subsection (4)(b)—

Criminal Justice and Immigration Act 2008 (c. 4)

- 153 In section 119 of the Criminal Justice and Immigration Act...

Health and Social Care Act 2008 (c. 14)

- 154 The Health and Social Care Act 2008 is amended as...
 155 In section 30 (urgent procedure for cancellation), in subsection (3)—...
 156 In section 39 (bodies required to be notified of certain...
 157 In section 46 (reviews and investigations)— (a) omit subsection (1),...
 158 In section 48 (special reviews and investigations)—
 159 In section 49 (power to extend periodic review function), in...
 160 In section 54 (studies as to economy, efficiency etc)—

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- 161 In section 59 (additional functions) at the end insert—
- 162 In section 64 (power to require documents and information), in...
- 163 In section 70 (co-operation between the Care Quality Commission and...
- 164 In section 72 (provision of material to the Comptroller and...
- 165 In section 81 (publication of programme of reviews etc), in...
- 166 (1) Section 97 (general interpretation of Part 1) is amended...
- 167 In section 153 (directions to certain NHS bodies) in subsection...

Education and Skills Act 2008 (c. 25)

- 168 The Education and Skills Act 2008 is amended as follows....
- 169 In section 16 (supply of information by public bodies), in...
- 170 In section 77 (supply of information by public bodies), in...

Autism Act 2009 (c. 15)

- 171 In section 4 of the Autism Act 2009 (interpretation), in...

Local Democracy, Economic Development and Construction Act 2009 (c. 20)

- 172 In section 123 of the Local Democracy, Economic Development and...

Health Act 2009 (c. 21)

- 173 The Health Act 2009 is amended as follows.
- 174 In each of the following provisions for “NHS services” substitute...
- 175 (1) Section 2 (duty to have regard to NHS constitution)...
- 176 (1) Section 3 (availability and review of NHS constitution) is...
- 177 (1) Section 8 (duty of providers to publish information) is...
- 178 In section 9 (supplementary provision about the duty to publish...
- 179 In section 36 (disclosure of information by Her Majesty's Revenue...

Equality Act 2010 (c. 15)

- 180 The Equality Act 2010 is amended as follows.
- 181 In section 1 (public sector duty regarding socio-economic inequalities), in...
- 182 In Part 1 of Schedule 19 (bodies subject to public...

Child Poverty Act 2010 (c. 9)

- 183 In section 20 of the Child Poverty Act 2010 (partner...

Charities Act 2011 (c. 25)

- 184 In section 149 of the Charities Act 2011 (audit or...

SCHEDULE 6 — Part 1: transitional provision

Interpretation

- 1 (1) This paragraph applies for the purposes of this Schedule....

Modification of requirements as to consultation

- 2 (1) If, at any time before the commencement of section...

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Directions under section 7 of the 2006 Act

- 3 (1) This paragraph applies if section 21 is commenced before...
- 4 (1) This paragraph applies if section 21 is commenced before...
- 5 (1) Sub-paragraph (2) applies in relation to any direction given...
- 6 Any reference in paragraphs 3 to 5 to the commencement...

Exercise of Secretary of State's functions in relation to Primary Care Trusts

- 7 (1) The Secretary of State may, at any time during...

Conditional establishment of clinical commissioning groups

- 8 (1) Regulations may make provision authorising the Board to grant...

Exercise of functions of clinical commissioning groups during initial period

- 9 (1) This paragraph applies to a clinical commissioning group if...

Preparatory work by clinical commissioning groups

- 10 (1) This paragraph applies to a clinical commissioning group which...

Arrangements between PCTs and clinical commissioning groups during initial period

- 11 (1) A Primary Care Trust may at any time during...

Power to make payments to the Board during initial period

- 12 (1) The Secretary of State may make payments to the...

Support for clinical commissioning groups during initial period

- 13 (1) A Primary Care Trust may provide assistance or support...

SCHEDULE 7 — Abolition of the Health Protection Agency: consequential amendments

Parliamentary Commissioner Act 1967 (c. 13)

- 1 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Superannuation Act 1972 (c. 11)

- 2 In Schedule 1 to the Superannuation Act 1972 (kinds of...

Local Government Act 1972 (c. 70)

- 3 In section 113 of the Local Government Act 1972 (placing...

Health and Safety at Work etc. Act 1974 (c. 37)

- 4 The Health and Safety at Work etc. Act 1974 is...
- 5 In section 16 (approval of codes of practice), in subsection...
- 6 In section 50 (exercise of certain powers to make regulations),...

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House of Commons Disqualification Act 1975 (c. 24)

7 In Part 3 of Schedule 1 to the House of...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

8 In Part 3 of Schedule 1 to the Northern Ireland...

Employment Rights Act 1996 (c. 18)

9 In section 218 of the Employment Rights Act 1996 (change...

Freedom of Information Act 2000 (c. 36)

10 In Part 6 of Schedule 1 to the Freedom of...

International Development Act 2002 (c. 1)

11 In Schedule 1 to the International Development Act 2002 (statutory...

Nationality, Immigration and Asylum Act 2002 (c. 41)

12 (1) Section 133(4) of the Nationality, Immigration and Asylum Act...

Scottish Public Services Ombudsman Act 2002 (asp 11)

13 The Scottish Public Services Ombudsman Act 2002 is amended as...

14 In section 7 (matters which may be investigated: restrictions), omit...

15 In Part 2 of Schedule 2 (persons liable to investigation),...

Civil Contingencies Act 2004 (c. 36)

16 In Schedule 1 to the Civil Contingencies Act 2004, in...

National Health Service Act 2006 (c. 41)

17 The National Health Service Act 2006 is amended as follows....

18 In section 9 (NHS contracts), in subsection (4) omit paragraph...

19 In section 71 (schemes for meeting losses and liabilities of...

National Health Service (Wales) Act 2006 (c. 42)

20 The National Health Service (Wales) Act 2006 is amended as...

21 In section 7 (NHS contracts), in subsection (4) omit paragraph...

22 In section 30 (schemes for meeting losses and liabilities of...

National Health Service (Consequential Provisions) Act 2006 (c. 43)

23 In Schedule 1 to the National Health Service (Consequential Provisions)...

Health and Social Care Act 2008 (c. 14)

24 In section 159 (functions of Health Protection Agency in relation...

Health and Personal Social Services (Northern Ireland) Order 1991 (No. 194 (N.I. 1))

25 In article 8 of the Health and Personal Social Services...

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SCHEDULE 8 — Monitor

Membership

- 1 (1) Monitor is to consist of— (a) a chair appointed...

The chief executive and other executive members: appointment and status

- 2 (1) The chief executive and the other executive members of...

Non-executive members: tenure

- 3 (1) A person holds and vacates office as a non-executive...

Suspension from office

- 4 (1) This paragraph applies where a person is suspended under...

- 5 (1) Where a person is suspended from office as the...

Payment of non-executive members

- 6 (1) Monitor must pay to its non-executive members such remuneration...

Staff

- 7 (1) Monitor may appoint such persons to be employees of...

Superannuation

- 8 (1) Sub-paragraph (2) applies where a person who is an...

Committees

- 9 (1) Monitor may appoint such committees and sub-committees as it...

Procedure

- 10 (1) Monitor may regulate its own procedure.

Exercise of functions

- 11 (1) Monitor must exercise its functions effectively, efficiently and economically....

Assistance

- 12 (1) Monitor may arrange for persons to assist it in...

Borrowing

- 13 (1) Monitor may, with the consent of the Secretary of...

Acquiring information

- 14 (1) Monitor may obtain, compile and keep under review information...

General power

- 15 Monitor may do anything which appears to it to be...

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Finance

- 16 (1) The Secretary of State may make payments to Monitor...

Accounts of NHS foundation trusts

- 17 (1) Monitor must prepare in respect of each financial year...

Accounts of Monitor

- 18 (1) Monitor must keep proper accounts and proper records in...
19 (1) Monitor must prepare annual accounts in respect of each...
20 (1) The Secretary of State may, with the approval of...

Reports and other information

- 21 (1) As soon as practicable after the end of each...

Recommendations by Committees in Parliament

- 22 Monitor must respond in writing to any recommendation about its...

Seal and evidence

- 23 (1) The application of Monitor's seal must be authenticated by...

Status

- 24 (1) Monitor must not be regarded as the servant or...

SCHEDULE 9 — Requirements under section 77: undertakings

Procedure

- 1 (1) Monitor must publish a procedure for entering into section...
2 (1) Where Monitor accepts a section 77 undertaking, Monitor must...

Variation of terms

- 3 The terms of a section 77 undertaking (including, in particular,...

Compliance certificates

- 4 (1) Where Monitor is satisfied that a section 77 undertaking...
5 (1) An appeal lies to the First-tier Tribunal against a...

Inaccurate, incomplete or misleading information

- 6 Where Monitor is satisfied that a person who has given...

SCHEDULE 10 — References by Monitor to the CMA

Variation of reference

- 1 (1) Monitor may, at any time, by notice given to...

Monitor's opinion of public interest etc.

- 2 Monitor may specify in a reference, or a variation under...

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Publication etc. of reference

- 3 As soon as practicable after making a reference, or a...

Information

- 4 (1) Monitor must, for the purpose of assisting the CMA...

Time limits

- 5 (1) A reference must specify a period within which the...

Reports on references

- 6 (1) In making a report on a reference, the CMA—...

Changes following report

- 7 (1) This paragraph applies where a report of the CMA...

CMA's power to veto changes

- 8 (1) The CMA may, within the period of four weeks...

Disclosure etc.

- 9 (1) Before making a report on a reference, giving or...

Powers of investigation

- 10 (1) The following sections of Part 3 of the Enterprise...

SCHEDULE 11 — Further provision about NHS England's enforcement powers

PART 1 — DISCRETIONARY REQUIREMENTS

Procedure

- 1 (1) Where NHS England proposes to impose a discretionary requirement...
- 2 (1) After the end of the notice period NHS England...
- 3 (1) A person may appeal to the First-tier Tribunal against...
- 4 NHS England may by notice to a person on whom...

Non-compliance penalties

- 5 (1) If a person fails to comply with a compliance...
- 6 (1) A person may appeal to the First-tier Tribunal against...

Recovery of financial penalties

- 7 (1) Amounts payable to NHS England of the kind mentioned...

Payments of penalties etc. into Consolidated Fund

- 8 NHS England must pay any sums it receives in respect...

PART 2 — ENFORCEMENT UNDERTAKINGS

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Procedure

- 9 (1) NHS England must publish a procedure for entering into...
10 (1) Where NHS England accepts an enforcement undertaking, NHS England...

Variation of terms

- 11 The terms of an enforcement undertaking (including, in particular, the...

Compliance certificates

- 12 (1) Where NHS England is satisfied that an enforcement undertaking...
13 (1) An appeal lies to the First-tier Tribunal against a...

Inaccurate, incomplete or misleading information

- 14 Where NHS England is satisfied that a person who has...

SCHEDULE 12 — Procedure on references under section 120

Contents etc. of reference

- 1 (1) A reference under section 120 must specify—

Representations by objectors

- 2 (1) If an objector wishes to make representations to the...

Functions of CMA in relation to reference

- 3 (1) The following functions of the Competition Commission must be...

Timetable for determination on reference

- 4 (1) The CMA must make its determination on a reference...

Matters to be considered on determination

- 5 (1) If the CMA considers it necessary to disregard the...

Production of documents

- 6 (1) The CMA may by notice require a person to...

Oral hearings

- 7 (1) For the purposes of this Schedule, an oral hearing...

Written statements

- 8 (1) The CMA may by notice require a person to...

Defaults in relation to evidence

- 9 (1) This paragraph applies if a person (“the defaulter”)—

General provisions relating to evidence

- 10 (1) No person may be compelled to give evidence under...

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Procedural rules

- 11 (1) The CMA Board may make rules of procedure for...

Costs

- 12 (1) Where the CMA makes a determination on a reference...

Power to modify time limits

- 13 The Secretary of State may by order vary any period...

SCHEDULE 13 — Part 3: minor and consequential amendments

General

- 1 (1) Any reference in an instrument or document to the...

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 2 In the Schedule to the Public Bodies (Admission to Meetings)...

Parliamentary Commissioner Act 1967 (c. 13)

- 3 (1) In Schedule 2 to the Parliamentary Commissioner Act 1967...

Superannuation Act 1972 (c. 11)

- 4 (1) In Schedule 1 to the Superannuation Act 1972 (kinds...

House of Commons Disqualification Act 1975 (c. 24)

- 5 (1) In Part 3 of Schedule 1 to the House...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 6 (1) In Part 3 of Schedule 1 to the Northern...

Freedom of Information Act 2000 (c. 36)

- 7 In Part 6 of Schedule 1 to the Freedom of...

National Health Service Act 2006 (c. 41)

- 8 The National Health Service Act 2006 is amended as follows....

- 9 (1) Omit section 31 and Schedule 8 (continuation and constitution...

- 10 (1) Omit section 32 (general duty of regulator).

- 11 In section 275(1) (general interpretation), at the appropriate place, insert

—...

- 12 In section 276 (index of defined expressions), in the entry...

National Health Service (Wales) Act 2006 (c. 42)

- 13 In section 184(2)(b) of the National Health Service (Wales) Act...

Health and Social Care Act 2008 (c. 14)

- 14 The Health and Social Care Act 2008 is amended as...

- 15 In section 30(3) (urgent applications for cancellation of registration of...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 16 In section 39(1) (notice requirements in relation to certain matters),...
- 17 In section 59 (power for Secretary of State to confer...

Health Act 2009 (c. 21)

- 18 In section 2(2) of the Health Act 2009 (bodies required...

Equality Act 2010 (c.15)

- 19 In Part 1 of Schedule 19 to the Equality Act...

SCHEDULE 14 — Abolition of NHS trusts in England: consequential amendments

PART 1 — AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

- 1 The National Health Service Act 2006 is amended as follows....
- 2 In section 4(2) (definition of “high security psychiatric services”), omit...
- 3 In section 8(2) (bodies to whom Secretary of State may...
- 4 In section 9 (NHS contracts), omit subsection (3).
- 5 In section 40 (power of Secretary of State to give...
- 6 In section 42 (public dividend capital), after subsection (1) insert—...
- 7 In section 51 (trust funds and trustees), omit subsection (4)....
- 8 In section 56 (mergers of NHS foundation trusts)—
- 9 In section 56A (acquisitions of NHS foundation trusts) (as inserted...
- 10 In section 57 (mergers, acquisitions and separation of NHS foundation...
- 11 In section 65(1) (interpretation for provisions about NHS foundation trusts),...
- 12 In section 65A(1) (application of trust special administration regime), omit...
- 13 (1) Omit section 65B (appointment of trust special administrator in...
- 14 Omit section 65C (suspension of directors of NHS trust).
- 15 (1) Section 65F (special administrator's draft report) is amended as...
- 16 (1) In section 65G (consultation plan), in subsection (4), omit...
- 17 (1) Section 65H (consultation on draft report) is amended as...
- 18 (1) Section 65I (administrator's final report) is amended as follows....
- 19 (1) Section 65J (power to extend time limits) is amended...
- 20 (1) Omit section 65K (decision on action to take in...
- 21 (1) Section 65KA (regulator's decision in case of NHS foundation...
- 22 (1) Section 65L (trusts coming out of administration) is amended...
- 23 (1) Section 65M (replacement of special administrator) is amended as...
- 24 (1) Section 65N (guidance) is amended as follows.
- 25 In section 66 (intervention orders) (as amended by paragraph 8(1)...
- 26 In section 68 (default powers) (as amended by paragraph 10(1)...
- 27 (1) In section 70(1) (transfer of residual liabilities of certain...
- 28 In section 71 (schemes for meeting losses etc. of certain...
- 29 In section 77 (Care Trusts) (as amended by section 200)—...
- 30 Omit sections 78 and 79 (directed partnership arrangements).
- 31 In section 185(2) (charges for more expensive supplies), omit “an...
- 32 In section 186(2) (charges for repairs and replacements in certain...
- 33 In section 196(3) (bodies to which provisions about protection from...
- 34 In section 217(1) (supplementary provisions about trusts), omit paragraph (h)....
- 35 In section 242 (public involvement and consultation)—
- 36 In section 272 (orders, regulations, rules and directions)—
- 37 In section 275 (interpretation), in subsection (1), in the definition...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

38 In section 276 (index of defined expressions), omit the entry...

39 (1) Schedule 15 (accounts and audit) is amended as follows....

40 In consequence of the repeal of section 56(6) by section...

PART 2 — AMENDMENTS OF OTHER ACTS

Voluntary Hospitals (Paying Patients) Act 1936 (c. 17)

41 In section 1 of the Voluntary Hospitals (Paying Patients) Act...

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

42 In the Schedule to the Public Bodies (Admission to Meetings)...

Abortion Act 1967 (c. 87)

43 In section 1(3) of the Abortion Act 1967 (location of...

Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

44 In section 3(2)(a) of the Employers' Liability (Compulsory Insurance) Act...

Local Government Act 1972 (c. 70)

45 In section 113(4) of the Local Government Act 1972 (placing...

House of Commons Disqualification Act 1975 (c. 24)

46 In Part 3 of Schedule 1 to the House of...

Acquisition of Land Act 1981 (c. 67)

47 The Acquisition of Land Act 1981 is amended as follows....

48 In section 16(3)(b) (NHS trusts' land excluded from compulsory purchase),...

49 In section 17(4) (special parliamentary procedure applying to compulsory purchase...

Mental Health Act 1983 (c. 20)

50 In section 139(4) of the Mental Health Act 1983 (exemption...

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

51 In section 2(5) of the Disabled Persons (Services, Consultation and...

Copyright, Designs and Patents Act 1988 (c. 48)

52 In section 48 of the Copyright, Designs and Patents Act...

Health and Medicines Act 1988 (c. 49)

53 In section 7(3) of the Health and Medicines Act 1988...

Road Traffic Act 1988 (c. 52)

54 In section 144(2)(db) of the Road Traffic Act 1988 (exception...

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Access to Health Records Act 1990 (c. 23)

- 55 In section 11 of the Access to Health Records Act...

Water Industry Act 1991 (c. 56)

- 56 In Schedule 4A to the Water Industry Act 1991 (premises...

London Local Authorities Act 1991 (c. xiii)

- 57 In section 4 of the London Local Authorities Act 1991...

Social Security Contributions and Benefits Act 1992 (c. 4)

- 58 The Social Security Contributions and Benefits Act 1992 is amended...
59 In section 163(6) (interpretation of Part 11), omit “the National...
60 In section 171(3) (interpretation of Part 12), omit “the National...
61 In section 171ZJ(9)(a) (Part 12ZA: supplementary), omit “the National Health...
62 In section 171ZS(9)(a) (Part 12ZB: supplementary), omit “the National Health...

Health Service Commissioners Act 1993 (c. 46)

- 63 In section 2(1) of the Health Service Commissioners Act 1993...

Vehicle Excise and Registration Act 1994 (c. 22)

- 64 In Schedule 2 to the Vehicle Excise and Registration Act...

Value Added Tax Act 1994 (c. 23)

- 65 The Value Added Tax Act 1994 is amended as follows...
66 In section 41(7) (definition of “government department”), for “Part I...
67 In Part 2 of Schedule 8 (zero-rated supply of goods...

Employment Rights Act 1996 (c. 18)

- 68 The Employment Rights Act 1996 is amended as follows.
69 In section 50(8)(a) (right of employees of NHS trusts to...
70 In section 218(10)(c) (change of employer) omit “the National Health...

Audit Commission Act 1998 (c. 18)

- 71 The Audit Commission Act 1998 is amended as follows.
72 Omit section 33(8)(c) (bodies not subject to certain Commission studies)...
73 In section 53(1) (interpretation), in the definition of “health service...

Data Protection Act 1998 (c. 29)

- 74 In section 69(3) of the Data Protection Act 1998 (meaning...

Health Act 1999 (c. 8)

- 75 In section 16 of the Health Act 1999 (conversion of...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Greater London Authority Act 1999 (c. 29)

76 Omit section 309E(5)(h) of the Greater London Authority Act 1999...

Care Standards Act 2000 (c. 14)

77 The Care Standards Act 2000 is amended as follows.

78 In section 42(7) (power to extend application of Part 2),...

79 In Schedule 2A (persons subject to review by the Children's...

80 In Schedule 2B (persons whose arrangements are subject to review...

Freedom of Information Act 2000 (c. 36)

81 In Part 3 of Schedule 1 to the Freedom of...

International Development Act 2002 (c. 1)

82 In Schedule 1 to the International Development Act 2002 (statutory...

Nationality, Immigration and Asylum Act 2002 (c. 41)

83 In section 133(4) of the Nationality, Immigration and Asylum Act...

Community Care (Delayed Discharges etc.) Act 2003 (c. 5)

84 In section 1(1) of the Community Care (Delayed Discharges etc.)...

Finance Act 2003 (c. 14)

85 The Finance Act 2003 is amended as follows.

86 In section 61(3) (bodies that are public authorities for purpose...

87 In section 66(4) (bodies that are public bodies for purpose...

Licensing Act 2003 (c. 17)

88 In section 16(3) of the Licensing Act 2003 (bodies that...

Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

89 The Health and Social Care (Community Health and Standards) Act...

90 In section 148 (interpretation of Part 2)—

91 In section 160 (provision of information in personal injury cases),...

92 In section 162 (payment of NHS charges to hospitals or...

93 In section 165 (power to apply provisions about recovery of...

Finance Act 2004 (c. 12)

94 In section 59 of the Finance Act 2004 (contractors), in...

Domestic Violence, Crime and Victims Act 2004 (c. 28)

95 In section 9(4)(a) of the Domestic Violence, Crime and Victims...

Children Act 2004 (c. 31)

96 The Children Act 2004 is amended as follows.

97 In section 11(1) (NHS trusts' duty to promote the safety...

98 In section 13(3) (Local Safeguarding Children Boards), in paragraph (f)...

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- 99 In section 28(1) (arrangements to safeguard and promote welfare: Wales),...

Civil Contingencies Act 2004 (c. 36)

- 100 In Part 1 of Schedule 1 to the Civil Contingencies...

National Health Service (Wales) Act 2006 (c. 42)

- 101 In section 206(1) of the National Health Service Act (Wales)...

Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19)

- 102 In section 6(7) of the Corporate Manslaughter and Corporate Homicide...

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 103 The Local Government and Public Involvement in Health Act 2007...
104 In section 222 (arrangements regarding local involvement networks)—
105 In section 224(2) (duties of service-providers to local involvement networks),...
106 In section 225(7) (duty to allow entry to local involvement...

Criminal Justice and Immigration Act 2008 (c. 4)

- 107 In section 119(4) of the Criminal Justice and Immigration Act...

Health and Social Care Act 2008 (c. 14)

- 108 The Health and Social Care Act 2008 is amended as...
109 In section 97(1) (general interpretation of Part 1)—
110 In section 153(1) (directing NHS bodies to exercise certain functions...

Autism Act 2009 (c. 15)

- 111 In section 4(1) of the Autism Act 2009 (interpretation), in...

Health Act 2009 (c. 21)

- 112 The Health Act 2009 is amended as follows.
113 In section 2(2) (bodies with duty to have regard to...
114 In section 8(2) (bodies with duty to publish information on...

Corporation Tax Act 2010 (c. 4)

- 115 In section 986 of the Corporation Tax Act 2010 (meaning...

Equality Act 2010 (c. 15)

- 116 In Part 1 of Schedule 19 to the Equality Act...

Charities Act 2011 (c. 25)

- 117 The Charities Act 2011 is amended as follows.
118 In section 149 (audit or examination of English NHS charity...
119 In section 150 (audit or examination of Welsh NHS charity...

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SCHEDULE 15 — Part 7: consequential amendments and savings
PART 1 — ABOLITION OF THE GENERAL SOCIAL CARE COUNCIL

Amendments to the Care Standards Act 2000 (c. 14)

- 1 The Care Standards Act 2000 is amended as follows.
- 2 In section 55(3)(g) (power to treat persons on certain social...
- 3 In section 56 (register of social care workers etc.)—
- 4 In section 57 (applications for registration), in subsection (1), for...
- 5 In section 58 (grant or refusal of registration), in subsection...
- 6 In section 58A (visiting social workers from relevant European States)
—...
- 7 In section 59 (removal etc. from register), in subsection (1),...
- 8 In section 60 (rules about registration), for “A Council” substitute...
- 9 In section 61 (offence relating to use of title “social...
- 10 In section 62 (codes of practice)— (a) in subsection (1),...
- 11 In section 63 (approval of courses etc.)—
- 12 In section 64 (qualifications gained outside Council's area)—
- 13 In section 65(1) (power to make rules requiring registered persons...
- 14 In section 66 (visitors for certain social work courses)—
- 15 In section 67 (functions of the appropriate Minister)—
- 16 In section 68 (appeals to the Tribunal), in subsections (1)...
- 17 In section 69 (publication etc. of register), in subsection (1),...
- 18 Omit section 70 (abolition of the Central Council for Education...
- 19 In section 71 (rules), in subsections (1), (2), (3A) and...
- 20 In section 113 (default Ministerial powers), omit subsection (1).
- 21 In section 114 (schemes for the transfer of staff), in...
- 22 In section 118 (orders and regulations), in subsection (4), omit...
- 23 In section 121 (13) (index of defined expressions)—
- 24 In section 122 (commencement), omit “section 70(2) to (5) and”....
- 25 In section 123 (extent), omit subsection (3).
- 26 Schedule 1 (the Care Councils) is amended as follows.
- 27 Omit paragraph 1 (introductory).
- 28 In paragraph 2 (status)— (a) for “An authority” substitute “The...
- 29 In paragraph 3(1) (general powers), for “the Secretary of State,...
- 30 In paragraph 4 (general duty), for “an authority” substitute “the...
- 31 For paragraph 5 (membership)— (a) for “Each authority” substitute
“The...
- 32 In paragraph 6 (appointment, procedure etc.)— (a) for “The Secretary...
- 33 (1) Paragraph 7 (remuneration and allowances) is amended as follows....
- 34 (1) Paragraph 8 (chief officer) is amended as follows.
- 35 (1) Paragraph 12 (staff) is amended as follows.
- 36 (1) Paragraph 13 (delegation of functions) is amended as follows....
- 37 In paragraph 14 (arrangements for the use of staff)—
- 38 In paragraph 16 (payments to authorities)— (a) for “The Secretary...
- 39 (1) Paragraph 18 (accounts) is amended as follows.
- 40 (1) Paragraph 19 (reports etc.) is amended as follows.
- 41 In paragraph 20 (application of seal)— (a) for “an authority”...
- 42 In paragraph 21 (evidence), for “an authority” substitute “the Welsh...
- 43 For the title to Schedule 1 substitute “The Welsh Council”....

Amendments to the Health and Social Care Act 2008 (c. 14)

- 44 The Health and Social Care Act 2008 is amended as...

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- 45 (1) In section 124 (regulation of social care workers)—
- 46 Section 125 (standard of proof in proceedings relating to registration...
- 47 (1) Section 126 (education and training of approved mental health...
- 48 In section 171(4) (provisions which Welsh Ministers have power to...
- 49 (1) Schedule 9 (regulation of social care workers) is amended...

Amendments to other Acts

- 50 In the following provisions, omit the entry for the General...
- 51 In section 343 of the Income Tax (Earning and Pensions)...
- 52 In section 41 of the Safeguarding Vulnerable Groups Act 2006...
PART 2 — THE HEALTH AND CARE PROFESSIONS COUNCIL
- 53 (1) A reference in any instrument or document to the...
- 54 In Part 2 of Schedule 1 to the House of...
- 55 In Part 2 of Schedule 1 to the Northern Ireland...
- 56 In the following provisions, for “the Health Professions Council”
substitute...
- 57 In section 257(3) of the Armed Forces Act 2006 (definition...
- 58 After section 30A(5) of the Protection of Vulnerable Groups
(Scotland)...
PART 3 — THE PROFESSIONAL STANDARDS AUTHORITY FOR HEALTH AND
SOCIAL CARE

General

- 59 (1) A reference in any instrument or document to the...

Health Act 1999 (c. 8)

- 60 In section 60(1) of the Health Act 1999—
- 61 In paragraph 7(4) of Schedule 3 to that Act, for...

National Health Service Reform and Health Care Professions Act 2002 (c. 17)

- 62 In each of the following provisions of the National Health...
- 63 In sections 26(6), 27(3) and 29(6) of, and paragraphs 1...
- 64 Omit section 26(12) of that Act.
- 65 In section 26A(2) of, and paragraph 1 of Schedule 7...
- 66 For the title to Schedule 7 substitute “The Professional Standards...

Other Acts, etc.

- 67 In section 36A(1)(b) of the Dentists Act 1984 (professions
complementary...
- 68 In each of the following provisions, for “the Council for...
- 69 (1) In each of the following provisions, omit the entry...
PART 4 — THE OFFICE OF THE HEALTH PROFESSIONS ADJUDICATOR

Miscellaneous amendments

- 70 In the Schedule to the Public Bodies (Admission to Meetings)...
- 71 (1) Omit the entry for the Office of the Health...

Amendments to the Health Act 1999 (c. 8)

- 72 (1) The Health Act 1999 is amended as follows.

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*Amendments to the National Health Service Reform
and Health Care Professions Act 2002 (c. 17)*

73 (1) In section 29 of the National Health Service Reform...

Amendments to the Health Act 2006 (c. 28)

74 (1) Omit section 60(3)(b) of the Health Act 2006 (Appointments...

Amendments to the Health and Social Care Act 2008 (c. 14)

75 (1) The Health and Social Care Act 2008 is amended...

Savings

76 (1) If abolition is to occur at a time other...

77 A reference in any document to the OHPA is, so...

78 In paragraphs 76 and 77—“abolition” means the commencement of...

SCHEDULE 16 — The National Institute for Health and Care Excellence

Membership, appointment, etc.

1 (1) NICE consists of— (a) at least six members appointed...

Tenure of non-executive office

2 (1) The chair and other non-executive members—

Suspension from non-executive office

3 (1) This paragraph applies where a person is suspended under...

4 (1) This paragraph applies where a person is suspended from...

Remuneration etc. of non-executive members

5 (1) NICE must pay to the non-executive members such remuneration...

Staff

6 (1) NICE may appoint such persons to be employees of...

Committees

7 (1) NICE may appoint such committees and sub-committees as it...

Procedure

8 (1) NICE may regulate its own procedure.

Exercise of functions

9 NICE may arrange for the exercise of its functions on...

General powers

10 (1) NICE may do anything which appears to it to...

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Finance

- 11 (1) The Secretary of State may make payments to NICE...

Reports

- 12 (1) As soon as practicable after the end of each...

Accounts

- 13 (1) NICE must keep proper accounts and proper records in...
14 (1) NICE must prepare annual accounts in respect of each...
15 (1) The Secretary of State may, with the approval of...

Seal and evidence

- 16 (1) The application of NICE's seal must be authenticated by...

Status

- 17 (1) NICE must not be regarded as the servant or...

SCHEDULE 17 — Part 8: consequential amendments

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 1 In the Schedule to the Public Bodies (Admission to Meetings)...

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...

Local Government Act 1972 (c. 70)

- 3 In section 113 of the Local Government Act 1972 (placing...

House of Commons Disqualification Act 1975 (c. 24)

- 4 In Part 2 of Schedule 1 to the House of...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 5 In Part 2 of Schedule 1 to the Northern Ireland...

Employment Rights Act 1996 (c. 18)

- 6 (1) The Employment Rights Act 1996 is amended as follows....

Data Protection Act 1998 (c. 29)

- 7 In section 69 of the Data Protection Act 1998 (meaning...

Freedom of Information Act 2000 (c. 36)

- 8 In Part 6 of Schedule 1 to the Freedom of...

International Development Act 2002 (c. 1)

- 9 In Schedule 1 to the International Development Act 2002 (bodies...

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National Health Service Act 2006 (c. 41)

10 (1) The National Health Service Act 2006 is amended as...

National Health Service (Wales) Act 2006 (c. 42)

11 In section 7 of the National Health Service (Wales) Act...

Health and Social Care Act 2008 (c. 14)

12 (1) The Health and Social Care Act 2008 is amended...

Health Act 2009 (c. 21)

13 In section 2 of the Health Act 2009 (duty to...

Equality Act 2010 (c. 15)

14 In Part 1 of Schedule 19 to the Equality Act...

SCHEDULE 18 — The Health and Social Care Information Centre

Membership, appointment, etc.

1 (1) The Information Centre consists of— (a) at least six...

Tenure of non-executive office

2 (1) The chair and other non-executive members—

Suspension from non-executive office

3 (1) This paragraph applies where a person is suspended under...

4 (1) This paragraph applies where a person is suspended from...

Remuneration etc. of non-executive members

5 (1) The Information Centre must pay to the non-executive members...

Staff

6 (1) The Information Centre may appoint such persons to be...

Committees

7 (1) The Information Centre may appoint such committees and sub-committees...

Procedure

8 (1) The Information Centre may regulate its own procedure.

Exercise of functions

9 The Information Centre may arrange for any function exercisable by...

General powers

10 (1) The Information Centre may do anything which appears to...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Finance

- 11 (1) The Secretary of State may make payments to the...

Reports

- 12 (1) As soon as practicable after the end of each...

Accounts

- 13 (1) The Information Centre must keep proper accounts and proper...
14 (1) The Information Centre must prepare annual accounts in respect...
15 (1) The Secretary of State may, with the approval of...

Seal and evidence

- 16 (1) The application of the Information Centre's seal must be...

Status

- 17 (1) The Information Centre must not be regarded as the...

SCHEDULE 19 — Part 9: consequential amendments

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 1 In the Schedule to the Public Bodies (Admission to Meetings)...

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967
(departments...

House of Commons Disqualification Act 1975 (c. 24)

- 3 In Part 2 of Schedule 1 to the House of...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 4 In Part 2 of Schedule 1 to the Northern Ireland...

Access to Health Records Act 1990 (c. 23)

- 5 In section 11 of the Access to Health Records Act...

Employment Rights Act 1996 (c. 18)

- 6 (1) The Employment Rights Act 1996 is amended as follows....

Data Protection Act 1998 (c. 29)

- 7 In section 69 of the Data Protection Act 1998 (meaning...

Freedom of Information Act 2000 (c. 36)

- 8 In Part 6 of Schedule 1 to the Freedom of...

National Health Service Act 2006 (c. 41)

- 9 (1) The National Health Service Act 2006 is amended as...

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National Health Service (Wales) Act 2006 (c. 42)

- 10 (1) The National Health Service (Wales) Act 2006 is amended...

Health and Social Care Act 2008 (c. 14)

- 11 In section 64 of the Health and Social Care Act...

Health Act 2009 (c. 21)

- 12 In section 2 of the Health Act 2009 (duty to...

Equality Act 2010 (c. 15)

- 13 In Part 1 of Schedule 19 to the Equality Act...

SCHEDULE 20 — Part 10: consequential amendments and savings

PART 1 — THE ALCOHOL EDUCATION AND RESEARCH COUNCIL

Consequential amendments

- 1 Omit the entry for the Alcohol Education and Research Council...
 2 Omit the entry in Part 3 of Schedule 1 to...
 3 In consequence of the repeal made by section 278(2)—

Savings

- 4 (1) Anything which is in the process of being done...
 PART 2 — THE APPOINTMENTS COMMISSION

Consequential amendments

- 5 (1) Omit the entry for the Appointments Commission in each...
 6 Omit paragraph 1A(4) of Schedule 1 (membership of governing Council)...
 7 In consequence of the repeal made by section 279(2)—

Savings

- 8 (1) Anything which is in the process of being done...
 PART 3 — THE NATIONAL INFORMATION GOVERNANCE BOARD FOR HEALTH AND SOCIAL CARE

Consequential amendments

- 9 (1) Omit the entry for the National Information Governance Board...
 10 (1) In section 271 of the National Health Service Act...
 11 In consequence of the repeal made by section 280(2), omit...

Savings

- 12 (1) Anything which is in the process of being done...

SCHEDULE 21 — Amendments relating to relationships between the health services

National Health Service (Scotland) Act 1978 (c. 29)

- 1 The National Health Service (Scotland) Act 1978 is amended as...

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- 2 (1) Section 17A (NHS contracts) is amended as follows.
- 3 (1) Section 17C (personal medical or dental services) is amended...
- 4 In section 17D (persons with whom agreements under section 17C...

National Health Service Act 2006 (c. 41)

- 5 The National Health Service Act 2006 is amended as follows....
- 6 In section 9 (NHS contracts), in subsection (4)—
- 7 After section 10 (provision about NHS contracts entered into by...
- 8 (1) In section 66 (intervention orders), for subsection (1) substitute—...
- 9 (1) Section 67 (effect of intervention orders) is amended as...
- 10 (1) In section 68 (default powers), for subsection (1) substitute—...
- 11 In section 78 (directed partnership arrangements), in subsection (3)—

National Health Service (Wales) Act 2006 (c. 42)

- 12 The National Health Service (Wales) Act 2006 is amended as...
- 13 In section 7 (NHS contracts), in subsection (4)—
- 14 After section 8 insert— Provision for bodies in Scotland (1) Subsection (2) applies where the Scottish Ministers are, or...
- 15 In section 10 (Welsh Ministers' arrangements with other bodies), in...
- 16 In section 13 (exercise of Local Health Board functions), in...
- 17 In section 17 (plans for improving health etc), in subsection...
- 18 In section 22 (special health authorities), omit subsection (6).
- 19 In section 26 (intervention orders), in subsection (1) after “other...
- 20 In section 27 (effect of intervention orders), in subsection (1)—...
- 21 In section 28 (default powers), in subsection (1) after “other...
- 22 In section 34 (power of local authorities to make payments),...
- 23 In section 36 (directed partnership arrangements), in subsection (3)—
- 24 (1) Section 38 (supply of goods and services by the...
- 25 In section 39 (conditions of supply under section 38), in...
- 26 In section 41 (duty to provide primary medical services), omit...
- 27 (1) Section 51 (persons with whom agreements for provision of...
- 28 In section 56 (primary dental services), omit subsection (4).
- 29 (1) Section 65 (persons with whom agreements for provision of...
- 30 In section 106 (provision about regulations under section 105), in...
- 31 (1) Section 115 (national disqualification) is amended as follows.
- 32 In section 131 (payment of travelling expenses), in paragraph (c)...
- 33 In section 144 (persons and bodies about which provision is...
- 34 In section 161 (transfers of trust property), in subsection (2)(c)—...
- 35 (1) Section 162 (transfer of functions and property to or...
- 36 In section 181 (payment for medical examination before application for...
- 37 In section 197 (university clinical teaching and research), in subsection...
- 38 (1) In section 206 (interpretation), in subsection (1)—
- 39 In Schedule 2 (Local Health Boards), in paragraph 9—
- 40 (1) Schedule 3 (NHS trusts) is amended as follows.
- 41 (1) Schedule 5 (Special Health Authorities) is amended as follows....
- 42 (1) Schedule 10 (further provision about Community Health Councils) is...

Changes to legislation: Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Health and Personal Social Services (Northern Ireland) Order 1991 (No. 194 (N.I. 1))

43 (1) Article 8 of the Health and Personal Social Services...

SCHEDULE 22 — Property transfer schemes

SCHEDULE 23 — Staff transfer schemes

Changes to legislation:

Health and Social Care Act 2012 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 72(2)(c) omitted by [S.I. 2019/93 Sch. 1 para. 13](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 13 substituted immediately before IP completion day by S.I. 2020/1343, regs. 1(1), 25)
- s. 72(2)(c)(d) omitted by virtue of S.I. 2019/93, Sch. 1 para. 13(2) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 72(2)(d) omitted by [S.I. 2019/93 Sch. 1 para. 13](#) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 13 substituted immediately before IP completion day by S.I. 2020/1343, regs. 1(1), 25)
- s. 88 omitted by [2012 c. 7 s. 180\(3\)](#)
- s. 174(2) omitted by [2012 c. 7 Sch. 14 para. 13\(2\)](#)
- s. 176(2) omitted by [2012 c. 7 Sch. 14 para. 15\(7\)](#)
- s. 176(8) omitted by [2012 c. 7 Sch. 14 para. 18\(5\)](#)
- s. 176(9) omitted by [2012 c. 7 Sch. 14 para. 19\(4\)](#)
- s. 177(1) omitted by [2012 c. 7 Sch. 14 para. 20\(2\)](#)
- s. 177(3) omitted by [2012 c. 7 Sch. 14 para. 22\(5\)](#)
- s. 178(1) omitted by [2012 c. 7 Sch. 14 para. 23\(5\)](#)
- s. 178(3) omitted by [2012 c. 7 Sch. 14 para. 24\(4\)](#)
- s. 250(3) word substituted by [2022 c. 31 s. 95\(2\)\(b\)](#)
- s. 250(5) omitted by [2022 c. 31 s. 95\(2\)\(c\)](#)
- s. 250(7) words inserted by [2022 c. 31 s. 95\(2\)\(e\)\(i\)](#)
- s. 250(7) words omitted by [2022 c. 31 s. 95\(2\)\(e\)\(ii\)](#)
- s. 251C(7) substituted by [2022 c. 31 s. 95\(4\)\(b\)](#)
- s. 253(3) words inserted by [S.I. 2023/98 Sch. para. 17\(5\)\(e\)](#) (This amendment comes in force at the same time as 2016 c. 9, s. 2 comes into force)
- s. 259(1)(a) word omitted by [2022 c. 31 s. 98\(a\)](#)
- s. 259(1)(b) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(2) words substituted by [2022 c. 31 s. 98\(c\)](#)
- s. 259(4) omitted by [2022 c. 31 s. 98\(d\)](#)
- s. 259(5) words inserted by [2022 c. 31 s. 98\(e\)](#)
- s. 259(7) omitted by [2022 c. 31 s. 98\(f\)](#)
- s. 259(9) words inserted by [2022 c. 31 s. 98\(g\)](#)
- Sch. 5 para. 78 omitted by [2018 anaw 2 Sch. 1 para. 6\(q\)](#)
- Sch. 5 para. 79 omitted by [2018 anaw 2 Sch. 1 para. 6\(q\)](#)
- Sch. 10 para. 10(2A)(b) words substituted by S.I. 2019/93, Sch. 1 para. 13(4) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- Sch. 14 para. 15(4) words substituted by [2014 c. 23 s. 85\(15\)\(a\)](#)
- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

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):

- Pt. 9 Ch. 1B inserted by 2022 c. 31 s. 96
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by S.I. 2019/1245 reg. 28 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by 2013 c. 24 Sch. 14 para. 21
- s. 106(3A)(3B) inserted by 2013 c. 24 Sch. 14 para. 22
- s. 250(2)-(2B) substituted for s. 250(2) by 2022 c. 31 s. 95(2)(a)
- s. 250(6)-(6D) substituted for s. 250(6) by 2022 c. 31 s. 95(2)(d)
- s. 251251ZA substituted for s. 251 by 2022 c. 31 s. 95(3)
- s. 251C(6A) inserted by 2022 c. 31 s. 95(4)(a)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by 2022 c. 31 s. 98(b)
- s. 259(1)(aa) words substituted by S.I. 2023/98 Sch. para. 17(11)(a)(iii) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by 2022 c. 31 s. 98(h)
- s. 304(5)(ja) inserted by 2022 c. 31 s. 95(5)