

Changes to legislation: Health and Social Care Act 2012, PART 2 is up to date with all changes known to be in force on or before 29 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

SCHEDULES

SCHEDULE 4

AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

PART 2

NHS BODIES

- 13 In section 28 (special health authorities), omit subsection (6).

Commencement Information

I1 Sch. 4 para. 13 in force at 1.10.2012 by [S.I. 2012/1831](#), **art. 2(2)**

- 14 In section 29 (exercise of Special Health Authority functions), in subsection (2)(a)

- (a) omit “, section 14”, and
- (b) omit “, section 19”.

Commencement Information

I2 Sch. 4 para. 14 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with arts. 7-9)

- 15 Omit Chapter 5B of Part 2 (trust special administrators: Primary Care Trusts).

Commencement Information

I3 Sch. 4 para. 15 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with arts. 7-9)

- 16 In section 67 (effect of intervention orders), in subsection (1)—

- (a) in paragraph (a)—
 - (i) omit “Strategic Health Authority,” and
 - (ii) omit “Primary Care Trust,” and
- (b) in paragraph (b)—
 - (i) omit “Strategic Health Authority,” and
 - (ii) omit “Primary Care Trust,”.

Commencement Information

I4 Sch. 4 para. 16 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with arts. 7-9)

- 17 In section 70 (transfer of residual liabilities)—

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- (a) in subsection (1)—
 - (i) omit “a Strategic Health Authority,”, and
 - (ii) omit “a Primary Care Trust,”, and
- (b) in the heading, at the end insert “of certain health service bodies”.

Commencement Information

I5 Sch. 4 para. 17 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

- 18 (1) Section 71 (schemes for meeting losses and liabilities in respect of certain health service bodies) is amended as follows.
- (2) In subsection (2)—
- (a) after “are—” insert—
 - “(za) the Board,
 - (zb) clinical commissioning groups,”
 - (b) omit paragraph (a),
 - (c) omit paragraph (b),
 - (d) after paragraph (h) (and before the “and” immediately following it) insert—
 - “(ha) a company formed under section 223 and wholly or partly owned by the Secretary of State or the Board,
 - (hb) a subsidiary of a company which is formed under that section and wholly owned by the Secretary of State,”, and”
 - (e) in paragraph (i)—
 - (i) for “paragraphs (a) to (h)”, in the first place where it occurs, substitute “paragraphs (za) to (hb)”, and
 - (ii) for “paragraphs (a) to (h)”, in the second place where it occurs, substitute “paragraphs (za) to (h)”.
- (3) In subsection (2A)—
- (a) after paragraph (a) insert—
 - “(ab) in relation to a company within paragraph (ha) or (hb) of subsection (2), means the company's activities in providing facilities or services to any person or body;”, and
 - (b) in paragraph (b) for “paragraphs (a) to (h)” substitute “paragraphs (za) to (h)”.
- (4) In subsection (3)(a)—
- (a) after “the Secretary of State” insert “or the Board”,
 - (b) omit “Strategic Health Authority,”, and
 - (c) omit “Primary Care Trust,”.
- (5) In subsection (5), for “(a) to (d),” substitute “(c), (d),”.
- (6) In subsection (6)—
- (a) after “the Secretary of State,” insert “the Board or”,
 - (b) omit “Strategic Health Authority,” and
 - (c) omit “Primary Care Trust,”.

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- I6** Sch. 4 para. 18(1) in force at 1.10.2012 for specified purposes by [S.I. 2012/1831](#), **art. 2(2)**
- I7** Sch. 4 para. 18(1) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))
- I8** Sch. 4 para. 18(2)(a)(d)(e)(3)(4)(a)(6)(a) in force at 1.10.2012 by [S.I. 2012/1831](#), **art. 2(2)**
- I9** Sch. 4 para. 18(2)(b)(c)(4)(b)(c)(5)(6)(b)(c) in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

- 19 In section 73 (directions and regulations), in subsection (1) omit paragraphs (c) to (f).

Commencement Information

- I10** Sch. 4 para. 19 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

- 20 Omit Schedule 2.

Commencement Information

- I11** Sch. 4 para. 20 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

- 21 Omit Schedule 3.

Commencement Information

- I12** Sch. 4 para. 21 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

- 22 (1) Schedule 4 (NHS trusts) is amended as follows.
- (2) In paragraph (5)(1)(f), omit “Primary Care Trusts,”.
- (3) In paragraph 6—
- (a) in sub-paragraph (1) —
- (i) omit “Strategic Health Authority,” and
- (ii) omit “, Primary Care Trust”, and
- (b) in sub-paragraph (2) —
- (i) omit “Strategic Health Authority,” and
- (ii) omit “, Primary Care Trust”.
- (4) In paragraph 7(3), omit “Strategic Health Authority,”.
- (5) In paragraph 8—
- (a) in sub-paragraph (1), omit “, Primary Care Trust” (in each place where it occurs), and
- (b) in sub-paragraph (4), omit “, Primary Care Trust”,
- (c) in sub-paragraph (5), omit “, Primary Care Trust” (in each place where it occurs),
- (d) in sub-paragraph (6)(b), omit “, Primary Care Trust”, and
- (e) in sub-paragraph (9)(b), omit “, Primary Care Trust”.

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- (6) In paragraph 9—
 - (a) in sub-paragraph (1)—
 - (i) omit “a Strategic Health Authority,”, and
 - (ii) omit “a Primary Care Trust,”,
 - (b) in sub-paragraph (3)—
 - (i) omit “Strategic Health Authority,”, and
 - (ii) omit “Primary Care Trust,”,
 - (c) in sub-paragraph (6)—
 - (i) omit “a Strategic Health Authority,”, and
 - (ii) omit “, a Primary Care Trust,”,
 - (d) in sub-paragraph (7)—
 - (i) in paragraph (a), omit “Strategic Health Authority,”,
 - (ii) in that paragraph omit “or belong to a Primary Care Trust”, and
 - (iii) in the words following paragraph (b)—
 - (a) omit “Strategic Health Authority,”, and
 - (b) omit “Primary Care Trust,”.
- (7) In paragraph 15, omit sub-paragraphs (2) and (3).
- (8) In paragraph 18—
 - (a) omit “Strategic Health Authority,” and
 - (b) omit “Primary Care Trust,”.
- (9) In paragraph 29, in sub-paragraph (3) omit “Strategic Health Authority,”.
- (10) In paragraph 30, in sub-paragraph (1)—
 - (a) omit “Strategic Health Authority,” and
 - (b) omit “Primary Care Trust,”.

Commencement Information

I13 Sch. 4 para. 22 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

- 23 (1) Schedule 6 (special health authorities established under section 28) is amended as follows.
 - (2) In paragraph 3(8)—
 - (a) for “to a Strategic Health Authority” substitute “to the Board”, and
 - (b) for “a Strategic Health Authority” substitute “the Board”.
 - (3) In paragraph 3(12)—
 - (a) in paragraph (a) for “of a Strategic Health Authority” substitute “of the Board”, and
 - (b) in paragraph (b) omit “or by a Strategic Health Authority”.
 - (4) In paragraph 13 for “a Strategic Health Authority” substitute “the Board”.

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I14 Sch. 4 para. 23 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

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Changes and effects yet to be applied to :

- 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\(5\)](#)