



Health and Social Care Act 2012

2012 CHAPTER 7

PART 1

THE HEALTH SERVICE IN ENGLAND

Arrangements for provision of health services

16 Secure psychiatric services

- (1) Section 4 of the National Health Service Act 2006 (high security psychiatric services) is amended as follows.
- (2) In subsection (1) for the words from the beginning to “duty to provide” substitute “The Board must arrange for the provision of”.
- (3) In subsection (3)—
 - (a) after “may be provided” insert “—
(a)”,
and
 - (b) after paragraph (a) insert “, and
(b) only by a person approved by the Secretary of State for the purposes of this subsection.”
- (4) After subsection (3) insert—

“(3A) The Secretary of State may—

 - (a) give directions to a person who provides high security psychiatric services about the provision by that person of those services;
 - (b) give directions to the Board about the exercise of its functions in relation to high security psychiatric services.”

Commencement Information

- II** S. 16 partly in force: s. 16 in force for specified purposes at Royal Assent, see s. 306(1)(d)

Changes to legislation: Health and Social Care Act 2012, Section 16 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](#)

I2 S. 16 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](#))

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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\(5\)](#)