

# CARE ACT 2014

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3 - Health**

#### *Chapter 2 – Health Research Authority*

#### **Establishment**

#### *Schedule 7 –The Health Research Authority*

#### **Part 3 – Finance and reports**

685. *Paragraph 17* makes provision for the Secretary of State, with the consent of the Treasury, to make payments to the HRA. The payments could be made at any time and have any conditions attached to them which the Secretary of State considers appropriate.
686. *Paragraph 18* gives the Secretary of State the power to make regulations requiring a fee to be paid to the HRA for specified functions. Any regulations made under this section would be subject to the affirmative parliamentary procedure. Any fees prescribed under this section, as determined by the HRA, would need to take account of the cost of the functions involved and must be approved by the Secretary of State.
687. *Paragraph 18(7)* applies existing legislation so that the members and staff of HRA are protected from personal liability whilst carrying out work on behalf of HRA. *Paragraph 17(9)* amends section 71 of the National Health Service Act 2006 to add the HRA to the list of bodies that may join a scheme established by the Secretary of State for the purpose of meeting expenses arising from any loss, damage or injury incurred by members, to their property and liabilities, and to third parties for loss damage or injury arising out of carrying out the functions of the bodies.
688. *Paragraph 19(1)* requires the HRA to keep accounts and prepare annual accounts for each financial year in a form to be determined by the Secretary of State, and which must be audited by the Comptroller and Auditor General.
689. *Paragraph 20* requires the HRA to prepare an annual report on the activities it has undertaken during the previous financial year and the activities it proposes to undertake during the current financial year. The report must include information about health and social care research which has taken place during the year as well as setting out the steps the HRA has taken to fulfil its objectives under section 110(2). The HRA must lay a copy of the report before Parliament and send a copy to the Secretary of State. *Paragraph 19(4)* provides that the HRA must provide the Secretary of State with other reports and information relating to the exercise of its functions on request.