

## SCHEDULES

### SCHEDULE 7

#### THE HEALTH RESEARCH AUTHORITY

#### PART 3

#### FINANCE AND REPORTS

##### *Fees and indemnities*

- 18 (1) Regulations may require payment of a fee in relation to the exercise of a specified function of the HRA; and the amount of the fee is to be the amount specified in, or determined in accordance with, the regulations.
- (2) Where the amount of a fee is to be specified in regulations under this paragraph—
- (a) the Secretary of State must, before specifying the amount of the fee, have regard to the cost incurred in the exercise of the function to which the fee relates, and
  - (b) the HRA must provide the Secretary of State with such information, in such form, as the Secretary of State may request.
- (3) Regulations under this paragraph may require the HRA to determine the amount of a fee; and, where they do so, the regulations—
- (a) must require the HRA, before determining the amount of the fee, to have regard to the cost incurred in the exercise of the function to which the fee relates, and
  - (b) must require the HRA to obtain the approval of the Secretary of State to the proposed amount of the fee.
- (4) Regulations under this paragraph which provide for the amount of a fee to be determined may specify factors in accordance with which it is to be determined.
- (5) Regulations under this paragraph may include provision—
- (a) for determining the time by which a fee is payable;
  - (b) for any unpaid balance to be recoverable as a debt due to the HRA (but for this not to affect any other method of recovery).
- (6) Before making regulations under this paragraph, the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (7) Section 265 of the Public Health Act 1875 (which relates to the protection of members and officers of certain authorities from personal liability) has effect as if there were included in the authorities referred to in that section a reference to the HRA.

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*Status: This is the original version (as it was originally enacted).*

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- (8) In its application to the HRA as a result of sub-paragraph (7), section 265 of that Act has effect as if any reference in that section to that Act were a reference to this Act.
- (9) In section 71(2) of the National Health Service Act 2006 (schemes for meeting losses and liabilities etc. of certain health service bodies), after paragraph (f) insert—
  - “(fa) the Health Research Authority;”.