

**Changes to legislation:** Care Act 2014, PART 3 is up to date with all changes known to be in force on or before 21 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 7

#### THE HEALTH RESEARCH AUTHORITY

#### PART 3

#### FINANCE AND REPORTS

##### *Funding*

- 17 The Secretary of State may, with the consent of the Treasury, make payments to the HRA at such times and on such conditions (if any) as the Secretary of State considers appropriate.

##### **Commencement Information**

- II** Sch. 7 para. 17 in force at 1.1.2015 by S.I. 2014/2473, art. 5(m)

##### *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;

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- (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.
- (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;”.

#### Commencement Information

**I2** Sch. 7 para. 18 in force at 1.1.2015 by S.I. 2014/2473, art. 5(m)

#### Accounts

- 19 (1) The HRA must keep accounts in such form as the Secretary of State may determine.
- (2) The HRA must prepare annual accounts in respect of each financial year in such form as the Secretary of State may determine.
- (3) The HRA must send copies of the annual accounts to—
  - (a) the Secretary of State, and
  - (b) the Comptroller and Auditor General,
 within such period after the end of the financial year to which the accounts relate as the Secretary of State may determine.
- (4) The Comptroller and Auditor General must—
  - (a) examine, certify and report on the annual accounts, and
  - (b) lay copies of them and the report on them before Parliament.
- (5) In this paragraph and paragraph 20, “financial year” includes the period—
  - (a) beginning with the day on which the HRA is established, and
  - (b) ending with the following 31 March or, if the period ending with that date is 3 months or less, ending with the 31 March following that date.

#### Commencement Information

**I3** Sch. 7 para. 19 in force at 1.1.2015 by S.I. 2014/2473, art. 5(m)

#### Annual report

- 20 (1) As soon as is feasible after the end of each financial year, the HRA must prepare an annual report on—

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- (a) the activities it has undertaken during the year, and
  - (b) the activities it proposes to undertake during the current financial year.
- (2) The report must set out the steps the HRA has taken during the year to fulfil its main objective (see section 110(2)).
- (3) The HRA must—
  - (a) lay a copy of the report before Parliament, and
  - (b) send a copy of it to the Secretary of State.
- (4) The HRA must provide the Secretary of State with such other reports and information relating to the exercise of its functions as the Secretary of State may request.

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**Commencement Information**

**I4** [Sch. 7 para. 20](#) in force at 1.1.2015 by [S.I. 2014/2473](#), [art. 5\(m\)](#)

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**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):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)