



Health and Care Act 2022

2022 CHAPTER 31

PART 7

GENERAL

182 Power to make consequential provision

- (1) The Secretary of State may by regulations make provision that is consequential on this Act.
- (2) Regulations under this section may amend, repeal or revoke provision made by this Act or any provision made by or under primary legislation passed—
 - (a) before this Act, or
 - (b) later in the same session of Parliament as this Act.
- (3) In this section “primary legislation” means—
 - (a) an Act,
 - (b) an Act or Measure of Senedd Cymru,
 - (c) an Act of the Scottish Parliament, or
 - (d) Northern Ireland legislation.

183 Regulations

- (1) A power to make regulations under any provision of this Act includes power to make—
 - (a) consequential, supplementary, incidental, transitional or saving provision;
 - (b) different provision for different purposes.
- (2) A power to make regulations under section 92, 103 or 104 includes power to make different provision for England, Wales, Scotland or Northern Ireland.
- (3) Regulations under this Act are to be made by statutory instrument.

- (4) A statutory instrument containing any of the following (whether alone or with other provision) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament—
- (a) regulations under section 20(4);
 - (b) regulations under section 92;
 - (c) regulations under section 103 or 104;
 - (d) regulations under section 123;
 - (e) regulations under section 180;
 - (f) regulations under section 182 that amend or repeal provision made by primary legislation (as defined by section 182(3)).
- (5) Any other statutory instrument containing regulations under section 182 is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) This section does not apply to regulations under section 186.

184 Financial provision

There is to be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Secretary of State under or by virtue of this Act, and
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.

185 Extent

- (1) This Act extends to England and Wales only, subject to subsections (2) to (5).
- (2) The following extend to England and Wales, Scotland and Northern Ireland—
 - (a) in Part 1, paragraph 1(3) and (4) of Schedule 1 (renaming of NHS Commissioning Board);
 - (b) in Part 2, sections 92 to 94 (information about payments etc to persons in the health care sector);
 - (c) Part 3 (Secretary of State’s powers to transfer or delegate functions);
 - (d) in Part 4, section 125 (restriction of statutory powers requiring disclosure);
 - (e) in Part 6, section 171 and Part 2 of Schedule 17 (storage of gametes and embryos);
 - (f) this Part.
- (3) The following extend to Scotland only—
 - (a) sections 140 to 143 (offences relating to virginity testing);
 - (b) sections 152 to 155 (offences relating to hymenoplasty).
- (4) The following extend to Northern Ireland only—
 - (a) sections 144 to 147 (offences relating to virginity testing);
 - (b) sections 156 to 159 (offences relating to hymenoplasty).
- (5) An amendment, repeal or revocation made by this Act has the same extent as the provision amended, repealed or revoked.

186 Commencement

- (1) This Part comes into force on the day on which this Act is passed.
- (2) Section 161(2) comes into force on such day as the Welsh Ministers may by regulations appoint.
- (3) Section 171 and Schedule 17 (storage of gametes and embryos) come into force on 1 July 2022.
- (4) Section 172 and Schedule 18 (advertising of less healthy food and drink) come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (5) Section 179 comes into force at the end of the period of three months beginning with the day on which this Act is passed.
- (6) Except as mentioned in subsections (1) to (5), this Act comes into force on such day as the Secretary of State may by regulations appoint.
- (7) Different days may be appointed under subsection (2) or (6) for different purposes.
- (8) In relation to section 166, different days may be appointed under subsection (6) for different areas.
- (9) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.
- (10) The Welsh Ministers may by regulations make transitional or saving provision in connection with the coming into force of section 161(2).
- (11) The power to make regulations under subsection (9) or (10) includes power to make different provision for different purposes.
- (12) Regulations under this section are to be made by statutory instrument.

187 Short title

This Act may be cited as the Health and Care Act 2022.