



Health and Care Act 2022

2022 CHAPTER 31

PART 1

HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

Collaborative working

75 Co-operation by NHS bodies etc

(1) The National Health Service Act 2006 is amended in accordance with subsections (2) and (3).

(2) In section 72 (co-operation between NHS bodies)—

(a) after subsection (1) insert—

“(1A) The Secretary of State may publish guidance on the discharge of the duty under subsection (1) in relation to England.

(1B) An NHS body other than a Welsh NHS body must have regard to any guidance published under subsection (1A).”;

(b) after subsection (4) insert—

“(5) In this section “Welsh NHS body” means—

(a) an NHS trust established under the National Health Service (Wales) Act 2006,

(b) a Special Health Authority established under that Act, or

(c) a Local Health Board.”

(3) In section 82 (co-operation between NHS bodies and local authorities)—

(a) the existing words become subsection (1);

(b) after that subsection insert—

“(2) The Secretary of State may publish guidance on the discharge of the duty under this section in relation to England.

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 75. (See end of Document for details)

- (3) The following must have regard to any guidance published under subsection (2)—
 - (a) an NHS body other than a Welsh NHS body;
 - (b) a local authority in England.
- (4) In this section “Welsh NHS body” means—
 - (a) an NHS trust established under the National Health Service (Wales) Act 2006,
 - (b) a Special Health Authority established under that Act, or
 - (c) a Local Health Board.”
- (4) In the Health and Social Care Act 2012, in section 96 (limits on functions to set or modify licence conditions)—
 - (a) in subsection (2), for paragraph (g) substitute—
 - “(g) for the purpose of enabling, promoting or securing co-operation between providers of health care services for the purposes of the NHS, or between such providers and—
 - (i) NHS bodies, within the meaning of section 72 of the National Health Service Act 2006, or
 - (ii) local authorities in England (and for this purpose “local authority” has the meaning given by section 275(1) of the National Health Service Act 2006);”;
 - (b) in subsection (3), in the words before paragraph (a), for “(f) and (g)” substitute “and (f)”.

Commencement Information

- I1** S. 75 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** S. 75 in force at 1.7.2022 by [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)

Changes to legislation:

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