



# Health and Care Act 2022

## 2022 CHAPTER 31

### PART 1

#### HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

##### *Patient choice and procurement*

#### **80 Procurement and patient choice: consequential amendments etc**

- (1) In the National Health Service Act 2006—
  - (a) in section 12E (Secretary of State’s duty as respects variation in provision of health services), for subsection (2) substitute—

“(2) The functions mentioned in this subsection are the functions of the Secretary of State under—

    - (a) section 6E;
    - (b) section 12ZB;
    - (c) section 13A.”;
  - (b) in section 272 (orders, regulations, rules and directions), in subsection (6), after paragraph (zzd), insert—

“(zze) regulations under section 12ZB.”.
- (2) Omit sections 75 to 78 of, and Schedule 9 to, the Health and Social Care Act 2012 (regulations etc relating to procurement, patient choice and competition).
- (3) In section 40 of the Small Business, Enterprise and Employment Act 2015 (investigation of procurement functions), in subsection (7), omit paragraph (b) and the “or” before it.
- (4) The National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013 ([S.I. 2013/500](#)) are revoked.

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*Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 80. (See end of Document for details)*

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**Commencement Information**

- I1** S. 80 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** [S. 80](#) in force at 1.1.2024 by [S.I. 2023/1431](#), [reg. 3\(c\)](#) (with [reg. 5\(1\)-\(5\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Care Act 2022, Section 80.