



# Health and Social Care Act 2001

## 2001 CHAPTER 15

### PART 1

#### NATIONAL HEALTH SERVICE

##### *Health service funding*

#### **4 Public-private partnerships**

After section 96B of the 1977 Act there shall be inserted—

##### *“Companies*

##### **96C Public-private partnerships**

- (1) The Secretary of State may form, or participate in forming, companies to provide facilities or services for—
  - (a) persons or bodies exercising functions, or otherwise providing services, under this Act; or
  - (b) NHS trusts.
- (2) The Secretary of State may, with a view to securing or facilitating the provision by companies of facilities or services for persons or bodies falling within subsection (1)(a) or (b)—
  - (a) invest in the companies (whether by acquiring assets, securities or rights or otherwise), or
  - (b) provide loans and guarantees and make other kinds of financial provision to or in respect of them,or both.
- (3) For the purposes of subsections (1) and (2) above it is immaterial that the facilities or services provided or to be provided by the companies in question are not provided or to be provided—

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*Status: This is the original version (as it was originally enacted).*

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- (a) only to persons or bodies falling within subsection (1)(a) or (b); or
- (b) to persons or bodies falling within subsection (1)(a) only in their capacities as persons or bodies such as are mentioned in that provision.

(4) In this section—

“companies” means companies within the meaning of the Companies Act 1985 (c. 6);

“facilities” includes the provision of (or of the use of) premises, goods, materials, vehicles, plant or apparatus.

(5) This section is without prejudice to any powers of the Secretary of State exercisable otherwise than by virtue of this section.”