



National Health Service Reform and Health Care Professions Act 2002

2002 CHAPTER 17

PART 2

[^{F1}HEALTH AND SOCIAL CARE PROFESSIONS ETC.]

[^{F1}The Professional Standards Authority for Health and Social Care]

[^{F1}25A Funding of the Authority [^{F2}by bodies other than Social Work England]

- (1) The Privy Council must by regulations require each regulatory body [^{F3}, other than Social Work England,] to pay the Authority periodic fees of such amount as the Privy Council determines in respect of such of the Authority's functions in relation to that body as are specified in the regulations.
- (2) A reference in this section to the Authority's functions does not include a reference to its functions under sections 25G to 25I and 26A.
- (3) The regulations must, in particular, provide for the method of determining the amount of a fee under the regulations.
- (4) Before determining the amount of a fee under the regulations, the Privy Council must request the Authority to make a proposal as to the amount of funding that it considers it requires in order to perform for the period to which the fee would apply such of its functions in relation to the regulatory bodies as are specified in the regulations.
- (5) The Authority must—
 - (a) comply with a request under subsection (4), but
 - (b) before doing so, consult the regulatory bodies.
- (6) Having received a proposal under subsection (5), the Privy Council may consult the regulatory bodies.

Changes to legislation: There are currently no known outstanding effects for the National Health Service Reform and Health Care Professions Act 2002, Section 25A. (See end of Document for details)

- (7) Having taken into account such representations as it receives from consultees, the Privy Council must—
- (a) make a proposal as to the amount of funding that it considers the Authority requires in order to perform for the period to which the fee would apply such of its functions in relation to the regulatory bodies as are specified in the regulations, and
 - (b) determine in accordance with the method provided for under subsection (3) the amount of the fee that each regulatory body would be required to pay.
- (8) The Privy Council must—
- (a) consult the Authority about the proposal under subsection (7)(a) and the determinations under subsection (7)(b), and
 - (b) consult each regulatory body about the determination under subsection (7)(b) of the amount it would be required to pay.
- (9) Having taken into account such representations as it receives from consultees, the Privy Council must—
- (a) determine the amount of funding that the Authority requires in order to perform for the period to which the fee would apply such of its functions in relation to the regulatory bodies as are specified in the regulations, and
 - (b) determine in accordance with the method provided for under subsection (3) the amount of the fee that each regulatory body is to be required to pay.
- (10) Regulations under this section requiring payment of a fee may make provision—
- (a) requiring the fee to be paid within such period as is specified;
 - (b) requiring interest at such rate as is specified to be paid if the fee is not paid within the period specified under paragraph (a);
 - (c) for the recovery of unpaid fees or interest.
- (11) The regulations may enable the Privy Council to redetermine the amount of a fee provided for under the regulations, on a request by the Authority or a regulatory body or on its own initiative.
- (12) Before making regulations under this section, the Privy Council must consult—
- (a) the Authority,
 - (b) the regulatory bodies, and
 - (c) such other persons as it considers appropriate.]

Textual Amendments

- F1** S. 25A inserted (27.3.2012 for specified purposes, 16.3.2015 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\), ss. 224\(1\), 306\(1\)\(d\)\(4\)](#); S.I. 2015/409, art. 2
- F2** Words in s. 25A heading inserted (2.12.2019) by [Children and Social Work Act 2017 \(c. 16\), s. 70\(2\), Sch. 4 para. 3\(3\)](#); S.I. 2019/1436, reg. 2(r)
- F3** Words in s. 25A(1) inserted (2.12.2019) by [Children and Social Work Act 2017 \(c. 16\), s. 70\(2\), Sch. 4 para. 3\(2\)](#); S.I. 2019/1436, reg. 2(r)

Changes to legislation:

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