



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 11

#### PROPERTY AND FINANCE

### CHAPTER 6

#### FINANCE

#### *[<sup>F1</sup> [<sup>F2</sup>NHS England]*

#### **[<sup>F1</sup>223B Funding of [<sup>F2</sup>NHS England]**

- (1) The Secretary of State must pay to [<sup>F2</sup>NHS England] in respect of each financial year sums not exceeding the amount allotted for that year by the Secretary of State towards meeting the expenditure of [<sup>F2</sup>NHS England] which is attributable to the performance by it of its functions in that year.
- (2) An amount is allotted to [<sup>F2</sup>NHS England] for a financial year under this section when [<sup>F2</sup>NHS England] is notified in writing by the Secretary of State that the amount is allotted to it for that year.
- (3) The Secretary of State may make a new allotment under this section increasing or reducing the allotment previously so made only if—
  - (a) [<sup>F2</sup>NHS England] agrees to the change,
  - (b) a parliamentary general election takes place, or
  - (c) the Secretary of State considers that there are exceptional circumstances that make a new allotment necessary.
- (4) The Secretary of State may give directions to [<sup>F2</sup>NHS England] with respect to the payment of sums by it to the Secretary of State in respect of charges or other sums referable to the valuation or disposal of assets.

*Changes to legislation: National Health Service Act 2006, Section 223B is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (5) Sums falling to be paid to [F2NHS England] under this section are payable subject to such conditions as to records, certificates or otherwise as the Secretary of State may determine.
- [ The Secretary of State may direct NHS England—
- F3[F4(6) (a) that an amount of the sums paid to it under this section in respect of a financial year is to be used for purposes relating to service integration;
- (b) about the use by NHS England of that amount for those purposes.]
- (7) The amount referred to in [F5subsection (6)(a)]—
- (a) is to be determined in such manner as the Secretary of State considers appropriate, and
- (b) must be specified in the [F6direction].
- [ The power under subsection (6)(b) includes power to give NHS England directions
- F7(7A) about the exercise of any of its functions under or by virtue of section 223GA (including directions requiring consultation with the Secretary of State or other specified persons).
- (7B) The Secretary of State must publish any direction under subsection (6).]
- (8) The reference in subsection (6) to service integration is a reference to the integration of the provision of health services with the provision of health-related services or social care services, as referred to in sections 13N and [F814Z42].]]

#### Textual Amendments

- F1** Ss. 223B-223F and cross-heading inserted (27.3.2012 for specified purposes, 1.10.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), [ss. 24, 306\(1\)\(d\)\(4\)](#); S.I. 2012/1831, [art. 2\(2\)](#); S.I. 2013/160, [art. 2\(2\)](#) (with arts. 7-9)
- F2** Words in Act substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [s. 186\(6\)](#), [Sch. 1 para. 1\(1\)\(2\)](#); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F3** Ss. 223B(6)-(8) inserted (1.10.2014) by [Care Act 2014 \(c. 23\)](#), [ss. 121\(1\)](#), 127(1); S.I. 2014/2473, [art. 6](#)
- F4** S. 223B(6) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 15\(2\)\(a\)](#), 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F5** Words in s. 223B(7) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 15\(2\)\(b\)\(i\)](#), 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F6** Word in s. 223B(7)(b) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 15\(2\)\(b\)\(ii\)](#), 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F7** S. 223B(7A)(7B) inserted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [ss. 15\(2\)\(c\)](#), 186(6); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)
- F8** Word in s. 223B(8) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), [s. 186\(6\)](#), [Sch. 4 para. 116](#); S.I. 2022/734, [reg. 2\(a\)](#), [Sch.](#) (with regs. 13, 29, 30)

**Changes to legislation:**

National Health Service Act 2006, Section 223B is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3B(1)(aa) inserted by [2022 c. 31 Sch. 3 para. 2\(b\)](#)
- s. 3B(1)(za) inserted by [2022 c. 31 Sch. 3 para. 2\(a\)](#)
- s. 13G(4) words omitted by virtue of 2012 c. 7, Sch. 14 para. 4A (as inserted) by [2014 c. 23 s. 120\(18\)\(a\)](#)
- s. 35(3A)(3B) inserted by [2012 c. 7 s. 159\(4\)](#)
- s. 35(3A) words substituted by [2022 c. 31 Sch. 5 para. 12\(4\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 35(3A) by 2012 c. 7 s.159(4) not yet in force.)
- s. 40(4)-(4B) substituted for s. 40(4) by [2012 c. 7 Sch. 14 para. 5](#)
- s. 42(1A) inserted by [2012 c. 7 Sch. 14 para. 6](#)
- s. 65F(2A)-(2F) inserted by [2012 c. 7 Sch. 14 para. 15\(4\)](#) (This amendment is itself amended before it comes into force by 2014 c. 23, ss. 85(15), 120(18)(b)(c), 127(1); S.I. 2014/1714, art. 3(2)(b)(c))
- s. 65H(10A) inserted by [2012 c. 7 Sch. 14 para. 17\(4\)](#)
- s. 65H(10A) omitted by [2022 c. 31 Sch. 8 para. 7\(7\)](#) (This amendment not applied to legislation.gov.uk. 2012 c. 7 Sch. 14 revoked at 1.7.2022 by 2022 c. 31, s. 186(6), Sch. 7 para. 13 before the insertion of s. 65H(10A) could come into effect.)
- s. 82A-83A and cross-heading substituted for s. 83 and cross-heading by [2022 c. 31 Sch. 3 para. 3](#)
- s. 84(4)-(4B) substituted for s. 84(4) by [2022 c. 31 Sch. 3 para. 4\(4\)](#)
- s. 92(5A) inserted by [2022 c. 31 Sch. 3 para. 9\(4\)](#)
- s. 94(3)(ca)(cb) substituted for s. 94(3)(ca) by [2022 c. 31 Sch. 3 para. 11\(3\)](#)
- s. 98A98B substituted for s. 98A by [2022 c. 31 Sch. 3 para. 14](#)
- s. 98BC-99B and cross-heading substituted for s. 99 and cross-heading by [2022 c. 31 Sch. 3 para. 15](#)
- s. 100(3A)(3B) inserted by [2022 c. 31 Sch. 3 para. 16\(4\)](#)
- s. 109(3)(ca)(cb) substituted for s. 109(3)(ca) by [2022 c. 31 Sch. 3 para. 23\(3\)](#)
- s. 112(1)(za) inserted by [2022 c. 31 Sch. 3 para. 24\(2\)\(b\)](#)
- s. 114A114B substituted for s. 114A by [2022 c. 31 Sch. 3 para. 26](#)
- s. 114C and cross-heading inserted by [2022 c. 31 Sch. 3 para. 27](#)
- s. 116A116B and cross-heading inserted by [2022 c. 31 Sch. 3 para. 30](#)
- s. 117(4)(4A) substituted for s. 117(4) by [2022 c. 31 Sch. 3 para. 31\(4\)](#)
- s. 125A125B substituted for s. 125A by [2022 c. 31 Sch. 3 para. 39](#)
- s. 223C(1)(c)(d) inserted by [2022 c. 31 s. 28](#)
- s. 223LA inserted by [2022 c. 31 s. 30\(3\)](#)
- Sch. 15 para. 4(1)(b) and word omitted by [2012 c. 7 Sch. 14 para. 39\(3\)](#)