



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 14

PATIENT AND PUBLIC INVOLVEMENT IN HEALTH AND SOCIAL CARE

[^{F1}Local arrangements]

223 Arrangements: power to make further provision

- (1) The Secretary of State must make regulations which provide that arrangements made under section 221(1) (“local authority arrangements”) must ^{F1}... [^{F1}include prescribed provision].
- [^{F2}(1A) The Secretary of State may make regulations which provide that local authority arrangements must require Local Healthwatch arrangements to include prescribed provision.]
- (2) The regulations may in particular provide that local authority arrangements ^{F3}... [^{F3}must include or (as the case may be) must require Local Healthwatch arrangements to include]—
 - (a) prescribed provision relating to the way in which certain decisions of ^{F4}... [^{F4}a Local Healthwatch organisation or a Local Healthwatch contractor] are to be taken;
 - (b) prescribed provision relating to the authorisation of individuals as authorised representatives within the meaning of section 225(5);
 - (c) prescribed provision relating to the use by ^{F5}... [^{F5}a Local Healthwatch organisation or a Local Healthwatch contractor] of money derived from the arrangements;
 - (d) prescribed provision relating to the consequences of contravention by ^{F5}... [^{F5}a Local Healthwatch organisation or a Local Healthwatch contractor] of any provision of the arrangements.[^{F6};

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 223. (See end of Document for details)

- (e) prescribed provision relating to the activities which a Local Healthwatch contractor may not carry on on a Local Healthwatch organisation's behalf;
- (f) prescribed provision relating to the obtaining by a Local Healthwatch organisation of a licence under section 45D of the Health and Social Care Act 2008 and the grant by the organisation to a Local Healthwatch contractor of a sub-licence;
- (g) prescribed provision relating to the use by a Local Healthwatch organisation or a Local Healthwatch contractor of the trade mark to which a licence under that section relates;
- (h) prescribed provision relating to the infringement of the trade mark to which a licence under that section relates;
- (i) prescribed provision relating to the imposition of a requirement on a Local Healthwatch organisation to act with a view to securing that its Local Healthwatch contractors (taken together) are representative of—
 - (i) people who live in the local authority's area,
 - (ii) people to whom care services are being or may be provided in that area, and
 - (iii) people from that area to whom care services are being provided in any place.]

[^{F7}(2A) The provision which may be prescribed in relation to a Local Healthwatch contractor includes provision that relates to the contractor—

- (a) only in so far as it assists the Local Healthwatch organisation in the carrying-on of activities specified in section 221(2);
- (b) only in so far as it carries on such activities on the organisation's behalf.

(2B) Regulations under this section may make provision which applies to all descriptions of Local Healthwatch contractor, which applies to all those descriptions subject to specified exceptions or which applies only to such of those descriptions as are prescribed.]

(3) In this section—

[^{F8}“care services” has the meaning given by section 221;]

^{F9}

...

^{F10}

...

(a)

(b) [^{F10}“Local Healthwatch arrangements” has the meaning given by section 222;]

[^{F11}“Local Healthwatch contractor”, in relation to a Local Healthwatch organisation, means a person with whom the organisation makes Local Healthwatch arrangements;]

“prescribed provision” means provision prescribed or of a description prescribed by the regulations.[^{F12};

trade mark”, and “use” and “infringement” in relation to a trade mark, each have the same meaning as in the Trade Marks Act 1994.]

Textual Amendments

- F1** Words in s. 223(1) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(2), 306(1)(d)(4)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 223. (See end of Document for details)

- F2** S. 223(1A) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(3)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in s. 223(2) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(4)(a)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F4** Words in s. 223(2)(a) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(4)(b)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** Words in s. 223(2)(c)(d) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(4)(b)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** S. 223(2)(e)-(i) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(4)(c)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** S. 223(2A)(2B) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(5)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F8** Words in s. 223(3) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(6)(a)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F9** Words in s. 223(3) omitted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(6)(b)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F10** Words in s. 223(3) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(6)(c)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F11** Words in s. 223(3) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(6)(d)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F12** Words in s. 223(3) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 184(6)(e)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

Commencement Information

- I1** S. 223 in force at 21.2.2008 by [S.I. 2008/461](#), **art. 2(1)(a)**

Changes to legislation:

There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Section 223.