



Health and Social Care Act 2012

2012 CHAPTER 7

PART 3

REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

CHAPTER 1

MONITOR

PROSPECTIVE

64 General duties: supplementary

- (1) This section applies for the purposes of this Part.
- (2) “Anti-competitive behaviour” means behaviour which would (or would be likely to) prevent, restrict or distort competition and a reference to preventing anti-competitive behaviour includes a reference to eliminating or reducing the effects (or potential effects) of the behaviour.
- (3) “Health care” means all forms of health care provided for individuals, whether relating to physical or mental health, with a reference in this Part to health care services being read accordingly; and for the purposes of this Part it does not matter if a health care service is also an adult social care service (as to which, see section 65).
- (4) “The NHS” means the comprehensive health service continued under section 1(1) of the National Health Service Act 2006, except the part of it that is provided in pursuance of the public health functions (within the meaning of that Act) of the Secretary of State or local authorities.
- (5) A reference to the provision of health care services for the purposes of the NHS is a reference to their provision for those purposes in accordance with that Act.

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Health and Social Care Act 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (6) Nothing in section 62 requires Monitor to do anything in relation to the supply to persons who provide health care services of goods that are to be provided as part of those services.

Status:

This version of this provision is prospective.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Health and Social Care Act 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 64(1)(3)-(5) coming into force by S.I. 2012/1319 art. 2(2)
- s. 64(1)(3)-(5) coming into force by S.I. 2012/1319 art. 2(3)
- s. 64(1) coming into force by S.I. 2012/2657 art. 2(2)
- s. 64(2)(6) coming into force by S.I. 2012/2657 art. 2(2)
- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by S.I. 2012/2657 art. 15

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):

- Pt. 9 Ch. 1A inserted by 2015 c. 28 s. 2
- s. 58(6)(c) inserted by 2013 c. 32 Sch. 12 para. 103
- s. 73(3A) inserted by S.I. 2014/892 Sch. 1 para. 189(5)
- s. 80(3) inserted by S.I. 2014/892 Sch. 1 para. 192(3)
- s. 101(4A) inserted by 2013 c. 24 Sch. 6 para. 128(4)
- s. 105(3A) (3B) inserted by 2013 c. 24 Sch. 14 para. 21
- s. 106(3A) (3B) inserted by 2013 c. 24 Sch. 14 para. 22
- s. 111(2A) inserted by 2014 c. 23 s. 83(2)
- s. 120(5A) inserted by 2013 c. 24 Sch. 6 para. 131(4)
- s. 142(4A) inserted by 2013 c. 24 Sch. 6 para. 135(3)
- s. 251A(7)(a) words substituted by 2018 c. 12 Sch. 19 para. 173(2)
- s. 251A(9) inserted by 2018 c. 12 Sch. 19 para. 173(3)
- s. 251B inserted by 2015 c. 28 s. 3
- s. 251B(5)(a) words substituted by 2018 c. 12 Sch. 19 para. 174(2)
- s. 251B(7) inserted by 2018 c. 12 Sch. 19 para. 174(3)
- s. 251C inserted by 2015 c. 28 s. 4
- s. 251C modified (temp.) by S.I. 2015/1438 reg. 4
- s. 253(1)(ca) inserted by 2014 c. 23 s. 122(2)
- s. 261(1A) inserted by 2014 c. 23 s. 122(3)
- s. 262A inserted by 2014 c. 23 s. 122(4)
- s. 290(3)(ca) inserted by 2014 c. 23 Sch. 5 para. 15(3)
- Sch. 8 para. 11(2A) inserted by 2013 c. 24 Sch. 15 para. 49
- Sch. 10 para. 10(2A) inserted by S.I. 2014/892 Sch. 1 para. 195(4)
- Sch. 10 para. 10(3)(aa) inserted by S.I. 2014/892 Sch. 1 para. 195(5)
- Sch. 14 para. 16(1) Sch. 14 para. 16 renumbered as Sch. 14 para. 16(1) by 2014 c. 23 s. 120(18)(e)
- Sch. 14 para. 24(2A) inserted by 2014 c. 23 s. 84(8)
- Sch. 14 para. 4A 4B inserted by 2014 c. 23 s. 120(18)(a)
- Sch. 14 para. 15(8) inserted by 2014 c. 23 s. 120(18)(d)
- Sch. 14 para. 16(2)-(4) inserted by 2014 c. 23 s. 120(18)(e)
- Sch. 14 para. 17(4A) inserted by 2014 c. 23 s. 120(18)(g)
- Sch. 14 para. 24(2A) inserted by 2014 c. 23 s. 120(18)(h)
- Sch. 14 para. 24A inserted by 2014 c. 23 s. 120(18)(i)

– Sch. 14 para. 35(e) and word inserted by [2014 c. 23 s. 120\(18\)\(j\)](#)