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STATUTORY INSTRUMENTS

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**2022 No. 734**

**The Health and Care Act 2022 (Commencement No. 2  
and Transitional and Saving Provision) Regulations 2022**

**PART 6**

**Transitional and saving provision in relation  
to the abolition of Monitor and the Authority**

**Transitional provision: investigations of the Authority by the Health Service Commissioner**

**8.—(1) Where—**

- (a) an investigation in respect of an action taken by or on behalf of the Authority before 1st July 2022 is concluded on or after 1st July 2022, and
- (b) section 14 of the Health Service Commissioners Act 1993<sup>(1)</sup> (“the 1993 Act”) would, had the investigation concluded before 1st July 2022, have required the Commissioner to send a report of the results of the investigation to the Authority,

the Commissioner must instead send such a report to NHS England.

- (2) In this regulation, “Commissioner” has the meaning given by section 1(2) of the 1993 Act<sup>(2)</sup>.

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<sup>(1)</sup> 1993 c. 46. Section 14 was amended by S.I. 1996/970; paragraph 11(5) of Schedule 9 to the Health and Social Care (Community Health and Standards) Act 2003 (c. 43); S.I. 2004/1823; paragraphs 44 and 45(2) and (3) of Schedule 6 to the Public Services Ombudsman (Wales) Act 2005 (c. 10); section 12(6) of the Health Act 2009 (c. 21); section 201 of, and paragraph 70(2), (3), (4) and (5) of Schedule 5 to, the 2012 Act; and section 1(2) and (3) of the Health Service Commissioner for England (Complaint Handling) Act 2015 (c. 29).

<sup>(2)</sup> Section 1 was amended by S.I. 2004/1823 and paragraphs 29 and 30(2) to (4) of Schedule 6 to the Public Services Ombudsman (Wales) Act 2005.