



# Health and Social Care (Community Health and Standards) Act 2003

## 2003 CHAPTER 43

### PART 2

#### STANDARDS

#### CHAPTER 4

##### NHS HEALTH CARE: FUNCTIONS OF NATIONAL ASSEMBLY FOR WALES

##### *Reviews and investigations*

#### **71 Reporting to Secretary of State and regulator**

- (1) The Assembly must report to the Secretary of State where, after conducting a review or investigation under section 70, it is of the view that—
  - (a) there are significant failings in relation to the provision of health care by or for an English NHS body or cross-border SHA;
  - (b) there are significant failings in the running of an English NHS body or cross-border SHA; or
  - (c) there are significant failings in the running of any body, or the practice of any individual, providing health care for an English NHS body or cross-border SHA.
- (2) A report under subsection (1) may include a recommendation that, with a view to remedying the failings, the Secretary of State take special measures<sup>[F1]</sup> or request another person to take special measures] in relation to—
  - (a) the English NHS body or cross-border SHA; and
  - (b) in a case falling within paragraph (c) of subsection (1), any person, other than a Welsh NHS body, referred to in that paragraph.

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**Status:** Point in time view as at 06/04/2016.

**Changes to legislation:** There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Section 71. (See end of Document for details)

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F<sup>2</sup>(3) .....

F<sup>2</sup>(4) .....

- (5) A report under this section must give the Assembly's reasons for its view and for any recommendation made.

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**Textual Amendments**

**F1** Words in s. 71(2) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 119\(a\)](#); [S.I. 2013/160](#), art. 2(2) (with arts. 7-9)

**F2** S. 71(3)(4) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 119\(b\)](#); [S.I. 2013/160](#), art. 2(2) (with arts. 7-9)

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**Commencement Information**

**I1** S. 71 in force at 1.4.2004 by [S.I. 2004/873](#), [art. 2\(b\)](#)

**Status:**

Point in time view as at 06/04/2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Section 71.