



Local Government and Public Involvement in Health Act 2007

2007 CHAPTER 28

PART 14

PATIENT AND PUBLIC INVOLVEMENT IN HEALTH AND SOCIAL CARE

Abolition of Patients' Forums etc

230 Abolition of functions of Patients' Forums

- (1) The following provisions of the 2006 Act are omitted—
 - sections 237(3) to (9) and 238 (functions of Patients' Forums);
 - section 239 (power to confer rights of entry on members of Patients' Forums);
 - and
 - section 241(3) and (4) (regulations about membership of Patients' Forums).
- (2) If subsection (1) comes into force on a day other than 1st April—
 - (a) section 240 of the 2006 Act (a Patients' Forum must prepare an annual report for each financial year), and regulation 4 of the Functions Regulations (a Patients' Forum must prepare annual accounts for each financial year), shall have effect as if the final reporting period of a Patients' Forum were a financial year; and
 - (b) regulation 4(3) of the Functions Regulations (accounts for a financial year to be copied to the Commission no later than 31st May after end of year) shall have effect in relation to the final reporting period of a Patients' Forum as if for “31st May” there were substituted “two months”.
- (3) A Patients' Forum, in its report under section 240 of the 2006 Act for its final reporting period, must (in particular) include details of anything being done by the Patients' Forum that was still in progress when subsection (1) came into force.

- (4) Section 240 of the 2006 Act does not require a Patients' Forum to prepare a report, and regulation 4 of the Functions Regulations does not require a Patients' Forum to prepare annual accounts, in relation to any time after the end of its final reporting period.
- (5) In subsections (2) to (4) “final reporting period”, in relation to a Patients' Forum, means the period—
 - (a) ending with the coming into force of subsection (1); and
 - (b) beginning with the preceding 1st April.
- (6) In this section—
 - “the 2006 Act” means the National Health Service Act 2006 (c. 41);
 - “the Functions Regulations” means the Patients' Forums (Functions) Regulations 2003 (S.I. 2003/2124).

231 Abolition of Patients' Forums

- (1) The following provisions of the National Health Service Act 2006 are omitted—
 - section 237(1) and (2) (establishment of Patients' Forums and appointment of their members);
 - section 240 (Patients' Forums: annual reports); and
 - section 241(1) and (2) (power to make further provision about Patients' Forums).
- (2) The property, rights and liabilities of each Patients' Forum are by virtue of this subsection transferred to the Secretary of State for Health (including any property, rights and liabilities that would not otherwise be capable of being transferred).
- (3) Any legal proceedings relating to anything transferred under subsection (2) may be continued by or in relation to the Secretary of State for Health.

232 Abolition of Commission for Patient and Public Involvement in Health

- (1) The following provisions of the 2006 Act are omitted—
 - section 243 (establishment and functions of the Commission); and
 - Schedule 16 (further provision about the Commission).
- (2) The property, rights and liabilities of the Commission are by virtue of this subsection transferred to the Secretary of State for Health (including any property, rights and liabilities that would not otherwise be capable of being transferred).
- (3) Any legal proceedings relating to anything transferred under subsection (2) may be continued by or in relation to the Secretary of State for Health.
- (4) Subsection (5) applies if the Secretary of State is satisfied that the Commission has carried out, or has substantially carried out, its functions under section 243(5) of the 2006 Act (review by Commission of annual reports of Patients' Forums) in relation to the final reports of the Patients' Forums.
- (5) The Secretary of State may fix the period that is to be the Commission's final reporting period for the purposes of paragraphs 11 and 12 of Schedule 16 to the 2006 Act (Commission's annual report and accounts) by notifying that period to—
 - (a) the Commission; and
 - (b) the Comptroller and Auditor General.

Status: This is the original version (as it was originally enacted).

- (6) Paragraphs 11 and 12 of Schedule 16 to the 2006 Act shall have effect as if the final reporting period notified under subsection (5) were a financial year.
- (7) Paragraphs 11(2) and 12(1) of Schedule 16 to the 2006 Act do not require the Commission to prepare annual accounts and reports in respect of any time after the end of the final reporting period notified under subsection (5).
- (8) The period notified under subsection (5)—
 - (a) must be a period beginning with 1st April in any year; and
 - (b) may be a period of, or longer or shorter than, 12 months.
- (9) In this section—
 - “the 2006 Act” means the National Health Service Act 2006 (c. 41);
 - “the Commission” means the Commission for Patient and Public Involvement in Health.