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**Changes to legislation:** Health Act 2009, Paragraph 12 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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## SCHEDULES

### SCHEDULE 5

#### INVESTIGATION OF COMPLAINTS ABOUT PRIVATELY ARRANGED OR FUNDED ADULT SOCIAL CARE

##### PART 2

##### MINOR AND CONSEQUENTIAL AMENDMENTS

###### *Local Government Act 1974 (c. 7)*

12 In Schedule 4 (the Commission), in paragraph 1, after sub-paragraph (2) insert—

“(2A) A Local Commissioner shall not conduct a case which involves an adult social care provider if the Local Commissioner has a financial or other interest in the provider which is likely to affect prejudicially the exercise of his functions.

(2B) In sub-paragraph (2A) “adult social care provider” has the same meaning as in Part 3A of this Act.”

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#### **Commencement Information**

**II** Sch. 5 para. 12 in force at 1.10.2010 by S.I. 2010/1863, art. 2

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**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):

- s. 2(6)(ca) inserted by [2022 c. 31 Sch. 3 para. 57\(b\)](#)
- s. 2(6)(ea) inserted by [2022 c. 31 Sch. 3 para. 57\(c\)](#)

**Commencement Orders yet to be applied to the Health Act 2009**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2011/1255 art. 2](#) amendment to earlier commencing SI 2010/1068 art. 2