



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 3

#### REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

### CHAPTER 7

#### MISCELLANEOUS AND GENERAL

#### 147 Secretary of State's duty as respects variation in provision of health services

After section 12D of the National Health Service Act 2006 insert—

*“Miscellaneous*

#### **12E Secretary of State's duty as respects variation in provision of health services**

- (1) The Secretary of State must not exercise the functions mentioned in subsection (2) for the purpose of causing a variation in the proportion of services provided as part of the health service that is provided by persons of a particular description if that description is by reference to—
  - (a) whether the persons in question are in the public or (as the case may be) private sector, or
  - (b) some other aspect of their status.
- (2) The functions mentioned in this subsection are the functions of the Secretary of State under—
  - (a) sections 6E and 13A, and
  - (b) section 75 of the Health and Social Care Act 2012 (requirements as to procurement, patient choice and competition).”









**Status:**

Point in time view as at 01/07/2022.

**Changes to legislation:**

Health and Social Care Act 2012, CHAPTER 7 is up to date with all changes known to be in force on or before 07 June 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.