

## SCHEDULES

### SCHEDULE 4

#### AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

##### PART 10

###### PROPERTY AND FINANCE

- 117 (1) In section 223 (formation of companies), in each of subsections (1), (2) and (5) after “Secretary of State” insert “or the Board”.
- (2) After that section insert—

**“223A Application of section 223 to clinical commissioning groups**

- (1) Section 223 applies in relation to a clinical commissioning group as it applies in relation to the Board.
- (2) But the powers conferred by that section are exercisable by a clinical commissioning group only for the purpose of securing improvement—
- (a) in the physical and mental health of the people for whom it has responsibility for the purposes of section 3, or
  - (b) in the prevention, diagnosis and treatment of illness in such people.”