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**Changes to legislation:** Health and Social Care Act 2012, Paragraph 18 is up to date with all changes known to be in force on or before 08 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. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 4 **E+W**

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

#### **PART 2** **E+W**

##### NHS BODIES

- 18 (1) Section 71 (schemes for meeting losses and liabilities in respect of certain health service bodies) is amended as follows.
- (2) In subsection (2)—
- (a) after “are—” insert—
    - “(za) the Board,
    - (zb) clinical commissioning groups,”
  - (b) omit paragraph (a),
  - (c) omit paragraph (b),
  - (d) after paragraph (h) (and before the “and” immediately following it) insert—
    - “(ha) a company formed under section 223 and wholly or partly owned by the Secretary of State or the Board,
    - (hb) a subsidiary of a company which is formed under that section and wholly owned by the Secretary of State,” and”
  - (e) in paragraph (i)—
    - (i) for “paragraphs (a) to (h)”, in the first place where it occurs, substitute “paragraphs (za) to (hb)”, and
    - (ii) for “paragraphs (a) to (h)”, in the second place where it occurs, substitute “paragraphs (za) to (h)”.
- (3) In subsection (2A)—
- (a) after paragraph (a) insert—
    - “(ab) in relation to a company within paragraph (ha) or (hb) of subsection (2), means the company's activities in providing facilities or services to any person or body;”, and
  - (b) in paragraph (b) for “paragraphs (a) to (h)” substitute “paragraphs (za) to (h)”.
- (4) In subsection (3)(a)—
- (a) after “the Secretary of State” insert “or the Board”,
  - (b) omit “Strategic Health Authority,” and
  - (c) omit “Primary Care Trust,”.
- (5) In subsection (5), for “(a) to (d),” substitute “(c), (d),”.
- (6) In subsection (6)—

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- (a) after “the Secretary of State,” insert “the Board or”,
- (b) omit “Strategic Health Authority,” and
- (c) omit “Primary Care Trust,”.

**Commencement Information**

- I1** Sch. 4 para. 18(1) in force at 1.10.2012 for specified purposes by [S.I. 2012/1831](#), **art. 2(2)**
- I2** Sch. 4 para. 18(1) in force at 1.4.2013 in so far as not already in force by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))
- I3** Sch. 4 para. 18(2)(a)(d)(e)(3)(4)(a)(6)(a) in force at 1.10.2012 by [S.I. 2012/1831](#), **art. 2(2)**
- I4** Sch. 4 para. 18(2)(b)(c)(4)(b)(c)(5)(6)(b)(c) in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

**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):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251 substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)