

**Status:** Point in time view as at 01/10/2012. This version of this part contains provisions that are not valid for this point in time.

**Changes to legislation:** Health and Social Care Act 2012, PART 9 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)

## SCHEDULES

### SCHEDULE 4

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

#### PART 9

#### FRAUD ETC.

VALID FROM 01/04/2013

- 103 (1) Section 195 (compulsory disclosure of documents) is amended as follows.
- (2) In subsection (2) for “section 2(1)(b)” substitute “section 2”.
- (3) In subsection (3) —
- (a) for “section 2(1)(b)” substitute “section 2”,
  - (b) in paragraph (a) after “(“NHS services”)” insert “or in arranging for the provision of such services”,
  - (c) in paragraph (d) after “NHS services” insert “or with arranging for the provision of such services”, and
  - (d) in paragraph (f) after “NHS services” insert “or with arranging for the provision of such services”.
- 104 (1) Section 196 (persons and bodies about which provision is made by Part 10) is amended as follows.
- (2) In subsection (2), for “section 28(6)” substitute “section 275(1)”.
- (3) In subsection (3)—
- (a) before paragraph (a) insert—
    - “(za) the Board,
    - (zb) a clinical commissioning group,”
  - (b) omit paragraph (a), and
  - (c) omit paragraph (c).
- (4) After subsection (5) insert—
- “(5A) A “public health service contractor” means any person providing services of any description under arrangements made in the exercise of the public health functions of the Secretary of State or a local authority.”

#### Commencement Information

**II** Sch. 4 para. 104(1) in force at 1.10.2012 for specified purposes by [S.I. 2012/1831](#), [art. 2\(2\)](#)

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**12** Sch. 4 para. 104(2)(3)(a) in force at 1.10.2012 by S.I. 2012/1831, **art. 2(2)**

VALID FROM 01/04/2013

- 105 (1) Section 197 (notice requiring production of documents) is amended as follows.
- (2) In subsection (1)(a) after “health service provider” insert “, public health service contractor”.
- (3) In subsection (3)(d) after “health service provider” insert “, public health service contractor”.

VALID FROM 01/04/2013

- 106 In section 201 (disclosure of information), in subsection (3)(a) for “any of the Secretary of State's functions” substitute “any of the functions of the Secretary of State, the Board, a clinical commissioning group or a local authority”.

VALID FROM 01/04/2013

- 107 (1) Section 210 (interpretation of Part 10) is amended as follows.
- (2) In subsection (1) after “health service provider” insert “, “public health service contractor””.
- (3) In subsection (2)(a)—
- (a) after “in relation to” insert “the Secretary of State, local authorities,” and
- (b) after “health service providers” insert “, public health service contractors”.

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