

**Changes to legislation:** *Health and Social Care Act 2012, Cross Heading: Health and Social Care (Community Health and Standards) Act 2003 (c. 43) is up to date with all changes known to be in force on or before 22 May 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*

## SCHEDULES

### SCHEDULE 5 **E+W**

#### PART 1: AMENDMENTS OF OTHER ENACTMENTS

##### *Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

- 118 The Health and Social Care (Community Health and Standards) Act 2003 is amended as follows.

#### Commencement Information

- I1** Sch. 5 para. 118 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

- 119 In section 71 (reporting to Secretary of State and regulator)—
- (a) in subsection (2), after “special measures” insert “or request another person to take special measures”, and
  - (b) omit subsections (3) and (4).

#### Commencement Information

- I2** Sch. 5 para. 119 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

- 120 In section 113 (complaints about health care), in subsection (1), after paragraph (c) insert—
- “(d) anything done by the National Health Service Commissioning Board or a clinical commissioning group in pursuance of arrangements made under section 7A of the National Health Service Act 2006.”

#### Commencement Information

- I3** Sch. 5 para. 120 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

- 121 In section 148 (interpretation of Part 2), in the definition of “English NHS body”—
- (a) omit paragraph (a),
  - (b) omit paragraph (b), and
  - (c) before paragraph (d) insert—
    - “(ca) the National Health Service Commissioning Board;
    - (cb) a clinical commissioning group;”.

#### Commencement Information

- I4** Sch. 5 para. 121 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

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- 122 In section 160 (provision of information)—
- (a) in subsection (1), after paragraph (g) insert—
    - “(h) if the injured person received NHS treatment pursuant to arrangements made by a clinical commissioning group under section 3 or 3A of the National Health Service Act 2006, the clinical commissioning group.”, and
  - (b) in subsection (4), in the definition of “responsible body” omit paragraph (a) (ii) and the word “or preceding it.”.

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**Commencement Information**

**I5** Sch. 5 para. 122 in force at 1.4.2013 by [S.I. 2013/160](#), [art. 2\(2\)](#) (with [arts. 7-9](#))

- 123 In section 165 (power to apply provisions about recovery of charges to non-NHS hospitals), in subsection (3)(b)—
- (a) omit sub-paragraph (i), and
  - (b) before sub-paragraph (ii) insert—
    - “(ia) the National Health Service Commissioning Board,
    - (ib) a clinical commissioning group.”.

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**Commencement Information**

**I6** Sch. 5 para. 123 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\(5\)](#)