



# Health and Care Act 2022

## CHAPTER 31

### HEALTH AND CARE ACT 2022

#### PART 1

##### HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

###### *NHS England*

- 1 NHS Commissioning Board renamed NHS England
- 2 Power to require commissioning of specialised services
- 3 Spending on mental health
- 4 NHS England mandate: general
- 5 NHS England mandate: cancer outcome targets
- 6 Duties as to reducing inequalities
- 7 Duties in respect of research: business plan and annual report etc
- 8 NHS England: wider effect of decisions
- 9 NHS England: duties in relation to climate change etc
- 10 Public involvement: carers and representatives
- 11 Information about inequalities
- 12 Support and assistance by NHS England
- 13 Exercise of functions relating to provision of services
- 14 Preparation of consolidated accounts for providers
- 15 Funding for service integration
- 16 Payments in respect of quality
- 17 Secondments to NHS England

###### *Integrated care boards*

- 18 Role of integrated care boards
- 19 Establishment of integrated care boards
- 20 People for whom integrated care boards have responsibility

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

*Integrated care boards: functions*

- 21 Commissioning hospital and other health services
- 22 Commissioning primary care services etc
- 23 Transfer schemes in connection with transfer of primary care functions
- 24 Commissioning arrangements: conferral of discretions
- 25 General functions

*Integrated care partnerships*

- 26 Integrated care partnerships and strategies

*Integrated care system: financial controls*

- 27 NHS England's financial responsibilities
- 28 Expansion of NHS England's duties in respect of expenditure
- 29 Financial responsibilities of integrated care boards and their partners
- 30 Expansion of financial duties of integrated care boards and their partners

*Integrated care system: reviews and further amendments*

- 31 Care Quality Commission reviews etc of integrated care system
- 32 Integrated care system: further amendments

*Merger of NHS bodies etc*

- 33 Abolition of Monitor and transfer of functions to NHS England
- 34 Exercise by NHS England of new regulatory functions
- 35 Modification of standard licence conditions
- 36 Abolition of NHS Trust Development Authority
- 37 Merger of bodies: consequential amendment
- 38 Transfer schemes in connection with abolished bodies
- 39 Transfer schemes under section 38: taxation

*Secretary of State's functions*

- 40 Duties in respect of research
- 41 Report on assessing and meeting workforce needs
- 42 Arrangements for exercise of public health functions
- 43 Power of direction: public health functions
- 44 Power of direction: investigation functions
- 45 General power to direct NHS England
- 46 Reconfiguration of services: intervention powers
- 47 Review into NHS supply chains

*NHS trusts*

- 48 NHS trusts in England
- 49 Removal of power to appoint trust funds and trustees
- 50 Sections 48 and 49: consequential amendments
- 51 Licensing of NHS trusts
- 52 NHS trusts: wider effect of decisions
- 53 NHS trusts: duties in relation to climate change
- 54 Oversight and support of NHS trusts
- 55 Directions to NHS trusts

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 56 Recommendations about restructuring of NHS trusts
- 57 Intervention in NHS trusts
- 58 NHS trusts: conversion to NHS foundation trusts and dissolution
- 59 Appointment of chair of NHS trusts
- 60 Financial objectives for NHS trusts

#### *NHS foundation trusts*

- 61 Licensing of NHS foundation trusts
- 62 Capital spending limits for NHS foundation trusts
- 63 Accounts, reports and forward plans
- 64 NHS foundation trusts: joint exercise of functions
- 65 NHS foundation trusts: mergers, acquisitions and separations
- 66 Transfers on dissolution of NHS foundation trusts
- 67 NHS foundation trusts: wider effect of decisions
- 68 NHS foundation trusts: duties in relation to climate change

#### *NHS trusts and NHS foundation trusts*

- 69 Transfer schemes between trusts
- 70 Trust special administrators

#### *Joint working and delegation of functions*

- 71 Joint working and delegation arrangements
- 72 References to functions: treatment of delegation arrangements etc

#### *Collaborative working*

- 73 Repeal of duties to promote autonomy
- 74 Guidance about joint appointments
- 75 Co-operation by NHS bodies etc
- 76 Wider effect of decisions: licensing of health care providers

#### *NHS payment scheme*

- 77 The NHS payment scheme

#### *Patient choice and procurement*

- 78 Regulations as to patient choice
- 79 Procurement regulations
- 80 Procurement and patient choice: consequential amendments etc
- 81 Eradicating slavery and human trafficking in supply chains

#### *Competition*

- 82 Duty to provide assistance to the CMA
- 83 Mergers of providers: removal of CMA powers
- 84 Removal of functions relating to competition etc
- 85 Removal of CMA's involvement in licensing etc

#### *Miscellaneous*

- 86 Special Health Authorities: removal of 3 year limit
- 87 Tidying up etc provisions about accounts of certain NHS bodies
- 88 Meaning of "health" in NHS Act 2006

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 89 Repeal of spent powers to make transfer schemes etc
- 90 Abolition of Local Education and Training Boards
- 91 Hospital patients with care and support needs: repeals etc

## PART 2

### HEALTH AND ADULT SOCIAL CARE: INFORMATION

- 92 Information about payments etc to persons in the health care sector
- 93 Regulations under section 92: enforcement
- 94 Regulations under section 92: consent
- 95 Information standards
- 96 Sharing anonymous health and social care information
- 97 General duties of the Health and Social Care Information Centre etc
- 98 Collection of information from private health care providers
- 99 Collection of information about adult social care
- 100 Enforcement of duties against private providers
- 101 Medicine information systems

## PART 3

### SECRETARY OF STATE'S POWERS TO TRANSFER OR DELEGATE FUNCTIONS

- 102 Relevant bodies and Special Health Authorities
- 103 Power to transfer functions between bodies
- 104 Power to provide for exercise of functions of Secretary of State
- 105 Scope of powers
- 106 Transfer schemes in connection with regulations
- 107 Transfer schemes: taxation
- 108 Consent and consultation

## PART 4

### THE HEALTH SERVICES SAFETY INVESTIGATIONS BODY

#### *Introductory*

- 109 Establishment of the HSSIB

#### *Investigations*

- 110 Investigation of incidents with safety implications
- 111 Deciding which incidents to investigate
- 112 Criteria, principles and processes

#### *Reports*

- 113 Final reports
- 114 Interim reports
- 115 Draft reports
- 116 Response to reports
- 117 Admissibility of reports

#### *Investigatory powers etc*

- 118 Powers of entry, inspection and seizure
- 119 Powers to require information etc
- 120 Voluntary provision of information etc

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

121 Offences relating to investigations

*Protection of material held by the HSSIB*

- 122 Prohibition on disclosure of HSSIB material
- 123 Exceptions to prohibition on disclosure
- 124 Offences of unlawful disclosure
- 125 Restriction of statutory powers requiring disclosure

*Relationship with other bodies*

- 126 Co-operation
- 127 Assistance of NHS bodies
- 128 Investigations relating to Wales and Northern Ireland

*Oversight of functions*

- 129 Failure to exercise functions
- 130 Review

*Offences: supplementary*

- 131 Offences by bodies corporate
- 132 Offences by partnerships

*Supplementary*

- 133 Obligations of confidence etc
- 134 Consequential amendments relating to Part 4
- 135 Interpretation of Part 4

**PART 5**

**VIRGINITY TESTING AND HYMENOPLASTY OFFENCES**

**CHAPTER 1**

**VIRGINITY TESTING OFFENCES**

*Virginity testing offences: England and Wales*

- 136 Offence of virginity testing: England and Wales
- 137 Offence of offering to carry out virginity testing: England and Wales
- 138 Offence of aiding or abetting etc a person to carry out virginity testing: England and Wales
- 139 Virginity testing offences in England and Wales: penalties

*Virginity testing offences: Scotland*

- 140 Offence of virginity testing: Scotland
- 141 Offence of offering to carry out virginity testing: Scotland
- 142 Offence of aiding or abetting etc a person to carry out virginity testing: Scotland
- 143 Virginity testing offences in Scotland: penalties and supplementary

*Virginity testing offences: Northern Ireland*

- 144 Offence of virginity testing: Northern Ireland

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 145 Offence of offering to carry out virginity testing: Northern Ireland
- 146 Offence of aiding or abetting etc a person to carry out virginity testing: Northern Ireland
- 147 Virginity testing offences in Northern Ireland: penalties

## CHAPTER 2

### HYMENOPLASTY OFFENCES

#### *Hymenoplasty offences: England and Wales*

- 148 Offence of carrying out hymenoplasty: England and Wales
- 149 Offence of offering to carry out hymenoplasty: England and Wales
- 150 Offence of aiding or abetting etc a person to carry out hymenoplasty: England and Wales
- 151 Hymenoplasty offences in England and Wales: penalties

#### *Hymenoplasty offences: Scotland*

- 152 Offence of carrying out hymenoplasty: Scotland
- 153 Offence of offering to carry out hymenoplasty: Scotland
- 154 Offence of aiding or abetting etc a person to carry out hymenoplasty: Scotland
- 155 Hymenoplasty offences in Scotland: penalties and supplementary

#### *Hymenoplasty offences: Northern Ireland*

- 156 Offence of carrying out hymenoplasty: Northern Ireland
- 157 Offence of offering to carry out hymenoplasty: Northern Ireland
- 158 Offence of aiding or abetting etc a person to carry out hymenoplasty: Northern Ireland
- 159 Hymenoplasty offences in Northern Ireland: penalties

## CHAPTER 3

### CONSEQUENTIAL AMENDMENTS

- 160 Consequential amendments relating to Part 5

## PART 6

### MISCELLANEOUS

#### *Pharmaceutical services*

- 161 Pharmaceutical services: remuneration in respect of vaccines etc

#### *International healthcare*

- 162 International healthcare arrangements

#### *Social care*

- 163 Regulation of local authority functions relating to adult social care
- 164 Default powers of Secretary of State in relation to adult social care
- 165 Care Quality Commission's powers in relation to local authority failings
- 166 Cap on care costs for charging purposes

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

*Social care: regulation and financial assistance*

167 Provision of social care services: financial assistance

*Professional regulation*

168 Regulation of health care and associated professions

*Medical examiners*

169 Medical examiners

*Organ trafficking*

170 Commercial dealings in organs for transplantation: extra-territorial offences

*Human fertilisation and embryology*

171 Storage of gametes and embryos

*Food and drink*

172 Advertising of less healthy food and drink

173 Hospital food standards

174 Food information for consumers: power to amend retained EU law

*Fluoridation of water supplies*

175 Fluoridation of water supplies

176 Fluoridation of water supplies: transitional provision

*Disputes about treatment of critically ill children*

177 Review into disputes relating to treatment of critically ill children

*Termination of pregnancy*

178 Early medical termination of pregnancy

*Child safeguarding: information sharing*

179 Child safeguarding etc in health and care: policy about information sharing

*Cosmetic procedures*

180 Licensing of cosmetic procedures

*Disability and autism training*

181 Mandatory training on learning disability and autism

**PART 7**

**GENERAL**

182 Power to make consequential provision

183 Regulations

184 Financial provision

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 185 Extent
- 186 Commencement
- 187 Short title

## SCHEDULES

### SCHEDULE 1 — Renaming of NHS Commissioning Board

- 1 General
- 2 House of Commons Disqualification Act 1975
- 3 Access to Health Records Act 1990
- 4 Trade Union and Labour Relations (Consolidation) Act 1992
- 5 Employment Rights Act 1996
- 6 National Health Service Act 2006
- 7 In the heading of section 3B, for “Board” substitute “NHS...
- 8 In the heading of section 13A, for “Board” substitute “NHS...
- 9 In the heading of section 13W, for “Board’s” substitute “NHS...
- 10 In the heading of section 13Y, for “Board’s” substitute “NHS...
- 11 In section 275(1)— (a) omit the definition of “the Board”;...
- 12 In Schedule 1A, in the italic heading before paragraph 18,...
- 13 Corporation Tax Act 2010
- 14 Equality Act 2010
- 15 Health and Social Care Act 2012
- 16 In section 150, omit subsection (2).
- 17 In the heading of section 197, for “NHS Commissioning Board”...
- 18 In section 247, omit the definition of “the Board”.
- 19 In section 250(1), for “the National Health Service Commissioning Board...
- 20 In the heading of section 274, for “Board” substitute “NHS...
- 21 In section 275, omit the definition of “the Board”.
- 22 In section 304(12)(a)(iv) and (ix), for “Board” substitute “NHS England”....
- 23 Local Audit and Accountability Act 2014
- 24 Social Services and Well-being (Wales) Act 2014 (anaw 4)
- 25 In section 47(10)— (a) in the English language text—
- 26 In section 77(4)(b)(ii)— (a) in the English language text, for...
- 27 In section 104(3)(d)(ii)— (a) in the English language text, for...
- 28 In section 118(2)(c)— (a) in the English language text, for...
- 29 In section 164A(4)— (a) in the English language text, for...
- 30 In section 193(4)(c)— (a) in the English language text, for...
- 31 In section 197(1)— (a) in the English language text, for...
- 32 Housing (Wales) Act 2014 (anaw 7)
- 33 Cities and Local Government Devolution Act 2016
- 34 Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2)
- 35 In section 4(3)— (a) in the English language text, for...
- 36 In section 65(4)— (a) in the English language text, for...
- 37 In section 99(1)— (a) in the English language text, omit...
- 38 Domestic Abuse Act 2021

### SCHEDULE 2 — Integrated care boards: constitution etc

- 1 Before Schedule 4 to the National Health Service Act 2006...
- 2 In section 272 of that Act (orders, regulations, rules and...



**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

### SCHEDULE 3 — Conferral of primary care functions on integrated care boards etc

#### PART 1 — CONFERRAL OF FUNCTIONS ETC

- 1 Preliminary
- 2 Power to require NHS England to continue to exercise certain primary care functions
- 3 Medical services
- 4 (1) Section 84 (general medical services contracts: introductory) is amended...
- 5 In section 86 (persons eligible to enter into GMS contracts),...
- 6 In section 87 (GMS contracts: payments), in subsection (3)(d), for...
- 7 (1) Section 89 (GMS contracts: other required terms) is amended...
- 8 (1) Section 91 (persons performing primary medical services) is amended...
- 9 (1) Section 92 (arrangements for the provision of primary medical...
- 10 In section 93 (persons with whom agreements may be made...
- 11 (1) Section 94 (regulations about section 92 arrangements) is amended...
- 12 (1) Section 96 (assistance and support: primary medical services) is...
- 13 (1) Section 97 (Local Medical Committees) is amended as follows....
- 14 For section 98A substitute— Delegation of Secretary of State’s functions...
- 15 Dental services
- 16 (1) Section 100 (general dental services contracts: introductory) is amended...
- 17 In section 102 (persons eligible to enter into GDS contracts),...
- 18 In section 103 (GDS contracts: payments), in subsection (3)(d), for...
- 19 In section 104 (GDS contracts: other required terms), in subsection...
- 20 (1) Section 106 (persons performing primary dental services) is amended...
- 21 (1) Section 107 (arrangements for the provision of primary dental...
- 22 In section 108 (persons with whom agreements may be made...
- 23 (1) Section 109 (regulations about section 107 arrangements) is amended...
- 24 (1) Section 112 (assistance and support: primary dental services) is...
- 25 (1) Section 113 (Local Dental Committees) is amended as follows....
- 26 For section 114A substitute— Delegation of Secretary of State’s functions...
- 27 Ophthalmic services
- 28 In the italic heading before section 115, for “the Board”...
- 29 (1) Section 115 (primary ophthalmic services) is amended as follows....
- 30 After section 116 insert— General functions General powers to make...
- 31 (1) Section 117 (general ophthalmic services contracts: introductory) is amended...
- 32 In section 118 (persons eligible to enter into GOS contracts),...
- 33 In section 119 (exclusion of contractors), in subsection (1), for...
- 34 In section 120 (GOS contracts: payments), in subsection (3)(d), for...
- 35 In section 121 (GOS contracts: other required terms), in subsection...
- 36 (1) Section 123 (persons performing primary ophthalmic services) is amended...
- 37 (1) Section 124 (assistance and support: primary ophthalmic services) is...
- 38 (1) Section 125 (Local Optical Committees) is amended as follows....
- 39 For section 125A substitute— Delegation of Secretary of State’s functions...

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

40 Pharmaceutical services

PART 2 — CONSEQUENTIAL AMENDMENTS

- 41 Dentists Act 1984
- 42 In section 40 (definition of business of dentistry), in subsection...
- 43 In section 53 (interpretation), in subsection (3)(a)(i), for “92 or...
- 44 Access to Health Records Act 1990
- 45 Trade Union and Labour Relations (Consolidation) Act 1992
- 46 Health Service Commissioners Act 1993
- 47 Freedom of Information Act 2000
- 48 Health and Social Care (Community Health and Standards) Act 2003
- 49 Health Act 2006
- 50 National Health Service Act 2006
- 51 In section 80 (supply of goods and services by the...
- 52 (1) Section 259 (sale of medical practices) is amended as...
- 53 In section 276 (index of defined expressions)—
- 54 In Schedule 4 (NHS trusts), for paragraph 24 and the...
- 55 National Health Service (Wales) Act 2006
- 56 (1) Section 65 (persons with whom agreement may be made...
- 57 Health Act 2009
- 58 Domestic Abuse Act 2021

SCHEDULE 4 — Integrated care system: minor and consequential amendments

- 1 Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951
- 2 Public Records Act 1958
- 3 Public Bodies (Admission to Meetings) Act 1960
- 4 Leasehold Reform Act 1967
- 5 Parliamentary Commissioner Act 1967
- 6 Health Services and Public Health Act 1968
- 7 In section 63 (provision of instruction for officers of hospital...
- 8 In section 64 (financial assistance to certain voluntary organisations),  
in...
- 9 Employers’ Liability (Compulsory Insurance) Act 1969
- 10 Local Authority Social Services Act 1970
- 11 Local Government Act 1972
- 12 Health and Safety at Work etc. Act 1974
- 13 National Health Service (Scotland) Act 1978
- 14 Mental Health Act 1983
- 15 In section 39 (information as to hospitals), in subsection (1),...
- 16 In section 117 (after-care), in subsections (2), (2D), (2E), (2F)...
- 17 In section 134 (correspondence of patients), in subsection (3)(e), for...
- 18 In section 139 (protection for acts done in pursuance of...
- 19 In section 140 (notification of hospitals having arrangements for  
special...
- 20 Acquisition of Land Act 1981
- 21 In section 16 (statutory undertakers’ land excluded from compulsory  
purchase),...
- 22 In section 17 (local authority and statutory undertakers’ land), in...
- 23 Disabled Persons (Services, Consultation and Representation) Act 1986
- 24 (1) Section 2 (rights of authorised representatives of disabled persons)...
- 25 (1) Section 7 (persons discharged from hospital) is amended as...
- 26 Copyright, Designs and Patents Act 1988
- 27 Children Act 1989
- 28 In section 21 (provision for accommodation for children in police...

**Changes to legislation:** *Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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*

---

- 29 In section 24 (persons qualifying for advice and assistance), in...
- 30 In section 24C (information), in subsection (2)(c), for “a clinical...
- 31 In section 27 (co-operation between authorities), in subsection (3)(d),  
for...
- 32 In section 29 (recoupment of cost of providing services etc),...
- 33 In section 47 (local authority’s duty to investigate), in subsection...
- 34 In section 80 (inspection of children’s homes etc by persons...
- 35 In section 85 (children accommodated by health authorities and local...
- 36 In section 105 (interpretation), in subsection (1)—
- 37 National Health Service and Community Care Act 1990
- 38 London Local Authorities Act 1991
- 39 Health Service Commissioners Act 1993
- 40 Value Added Tax Act 1994
- 41 In section 41 (application to the Crown), in subsection (7),...
- 42 (1) Schedule 8 (zero-rating) is amended as follows.
- 43 Education Act 1996
- 44 In section 322 (duty of certain bodies to help local...
- 45 In section 332 (duty of Local Health Board, a Primary...
- 46 Employment Rights Act 1996
- 47 In section 49B (the health service: regulations prohibiting  
discrimination because...
- 48 In section 50 (right to time off for public duties),...
- 49 In section 218 (change of employer), in subsection (10), for...
- 50 Housing Grants, Construction and Regeneration Act 1996
- 51 Crime and Disorder Act 1998
- 52 In section 5 (authorities responsible for crime and disorder strategies),...
- 53 In section 38 (local provision of youth justice services), in...
- 54 (1) Section 39 (youth offending teams) is amended as follows...
- 55 In section 41 (the Youth Justice Board), in subsection (10),...
- 56 In section 42 (supplementary provision), in subsection (3), for “a...
- 57 In section 115 (disclosure of information), in subsection (2), for...
- 58 Greater London Authority Act 1999
- 59 Health Act 1999
- 60 Freedom of Information Act 2000
- 61 Local Government Act 2000
- 62 Adoption and Children Act 2002
- 63 In section 4 (assessments etc for adoption support services), in...
- 64 In section 8 (adoption support agencies), in subsection (2)(d), for...
- 65 International Development Act 2002
- 66 Nationality, Immigration and Asylum Act 2002
- 67 Criminal Justice Act 2003
- 68 Finance Act 2003
- 69 Health and Social Care (Community Health and Standards) Act 2003
- 70 In section 148 (interpretation of Part 2), in the definition...
- 71 In section 160 (provision of information), in subsection (1)(h)—
- 72 In section 165 (power to apply provisions about recovery of...
- 73 Children Act 2004
- 74 In section 10 (co-operation to improve wellbeing), in subsection (4)  
(db),...
- 75 In section 11 (arrangements to safeguard and promote welfare), in...
- 76 In section 16E (local arrangements for safeguarding and promoting  
welfare...

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 77 In section 16J (combining safeguarding partner areas and delegating functions),...
- 78 In section 16P (combining child death review partner areas and...
- 79 In section 16Q (guidance and interpretation), in subsection (2)(b), for...
- 80 Civil Contingencies Act 2004
- 81 Domestic Violence, Crime and Victims Act 2004
- 82 Mental Capacity Act 2005
- 83 Armed Forces Act 2006
- 84 Childcare Act 2006
- 85 Emergency Workers (Obstruction) Act 2006
- 86 National Health Service Act 2006
- 87 In section 1H (NHS England and its general functions), in...
- 88 (1) Section 6 (performance of functions outside England) is amended...
- 89 (1) Section 6E (regulations as to the exercise of functions)...
- 90 In section 9 (NHS contracts), in subsection (4), for paragraph...
- 91 (1) Section 12 (arrangements with other bodies) is amended as...
- 92 (1) Section 12ZA (commissioning arrangements) is amended as follows.
- 93 (1) Section 12A (direct payments for health care) is amended...
- 94 In section 12B (regulations about direct payments), in subsections (2) (d),...
- 95 In section 12D (arrangements with other bodies relating to direct...
- 96 In section 13A (mandate), in subsection (6), for “clinical commissioning...
- 97 In section 13N (duty as to promoting integration), in subsection...
- 98 In section 13R (information on safety of services provided by...
- 99 In section 13V (pooled funds), in subsection (1), for “clinical...
- 100 In Part 2, omit Chapter A2 (clinical commissioning groups).
- 101 In section 71 (schemes for meeting losses and liabilities etc...
- 102 In section 74 (supply of goods and services by local...
- 103 In section 76 (power of local authorities to make payments),...
- 104 (1) Section 77 (care trusts) is amended as follows.
- 105 (1) In section 80 (supply of goods and services by...
- 106 In section 183 (payment of travelling expenses), in paragraphs (a),...
- 107 In section 185 (charges for more expensive supplies), in subsection...
- 108 In section 186 (charges for repairs and replacements in certain...
- 109 In section 187 (charges for designated services or facilities), for...
- 110 In section 188 (sums otherwise payable to those providing services),...
- 111 In section 196 (persons and bodies about which provision is...
- 112 In section 201 (disclosure of information), in subsection (3)(a), for...
- 113 In section 214 (transfer of functions and property to or...
- 114 In section 222 (power to raise money), in subsection (3A)(a),...
- 115 For section 223A (application of provision about public-private partnerships) substitute—...
- 116 In section 223B (funding of NHS England), in subsection (8),...
- 117 In section 223F (power to establish contingency fund), in subsection...
- 118 (1) Section 223G (means of meeting expenditure of clinical commissioning...
- 119 (1) Section 223GA (expenditure on integration) is amended as follows....
- 120 (1) Section 223K (payments in respect of quality) is amended...
- 121 (1) Section 236 (payments for certain medical examinations) is amended...
- 122 (1) Section 244 (review and scrutiny by local authorities) is...

**Changes to legislation:** *Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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*

---

- 123 In the italic heading before section 252A, for “clinical commissioning...
- 124 (1) In section 252A (role of NHS England and clinical...
- 125 (1) Section 256 (power of NHS England or a clinical...
- 126 In section 257 (payments in respect of voluntary organisations under...
- 127 (1) Section 258 (university clinical teaching and research) is amended...
- 128 In section 269 (special notices of births and deaths), in...
- 129 In section 270 (provision of information by Registrar General), in...
- 130 In section 271A (services to be treated as services of...
- 131 (1) Section 272 (orders, regulations, rules and directions) is amended...
- 132 In section 275 (interpretation), in subsection (1)—
- 133 In section 276 (index of defined expressions), in the appropriate...
- 134 (1) Schedule A1 (NHS England) is amended as follows.
- 135 (1) Schedule 1 (further provision about services) is amended as...
- 136 In Schedule 4 (NHS trusts: constitution etc), in paragraph 12,...
- 137 In Schedule 7 (constitution of public benefit corporations), in paragraph...
- 138 In Schedule 12A (pharmaceutical remuneration), in paragraph 2—
- 139 National Health Service (Wales) Act 2006
- 140 In section 7 (NHS contracts), in subsection (4), for paragraph...
- 141 In section 13 (exercise of Local Health Board functions), in...
- 142 In section 17 (plans for improving health etc), in subsection...
- 143 In section 26 (intervention orders), in subsection (1), for “,...
- 144 In section 28 (default powers), in subsection (1), for “,...
- 145 In section 34 (power of local authorities to make payments),...
- 146 In section 162 (transfer of functions and property to or...
- 147 In section 197 (university clinical teaching and research), in subsection...
- 148 In section 206 (interpretation), in subsection (1)—
- 149 NHS Redress Act 2006
- 150 Safeguarding Vulnerable Groups Act 2006
- 151 Corporate Manslaughter and Corporate Homicide Act 2007
- 152 Local Government and Public Involvement in Health Act 2007
- 153 Section 222 (Local Healthwatch organisations), in subsection (3), for paragraph...
- 154 In section 224 (duties of services-providers to respond to local...
- 155 In section 227 (Local Healthwatch organisations: annual reports), in subsection...
- 156 Statistics and Registration Service Act 2007
- 157 Education and Skills Act 2008
- 158 In section 16 (supply of information by public bodies), in...
- 159 In section 77 (supply of information by public bodies), in...
- 160 Health and Social Care Act 2008
- 161 In section 30 (urgent procedure for cancellation), in subsection (3)(a),...
- 162 In section 39 (bodies required to be notified of certain...
- 163 In section 48 (reviews and investigations), in subsection (2)(ba), for...
- 164 In section 54 (studies as to economy, efficiency etc), in...
- 165 In section 59 (additional functions), in subsection (3), for “clinical...
- 166 In section 64 (power to require documents and information), in...
- 167 In section 97 (general interpretation of Part 1), in subsection...
- 168 Autism Act 2009
- 169 Health Act 2009
- 170 (1) Section 2 (duty to have regard to NHS constitution)...
- 171 In section 8 (duty of providers to publish information), in...

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 172 Corporation Tax Act 2010
- 173 Equality Act 2010
- 174 Charities Act 2011
- 175 Health and Social Care Act 2012
- 176 In section 95 (licensing: special conditions), in subsection (2)(d), for...
- 177 In section 99 (notification of commissioners where continuation of services...
- 178 In section 100 (modification of standard conditions), in subsection (2) (d),...
- 179 In section 102 (modification of conditions by order under other...
- 180 In section 104 (power to require documents and information), in...
- 181 In section 110 (notification of enforcement action), in subsection (1) (b),...
- 182 In section 141 (levy on providers: consultation), in subsection (3),...
- 183 In section 150 (interpretation, transitional provision and consequential amendments), omit...
- 184 In section 194 (establishment of Health and Wellbeing Boards), in...
- 185 In section 196 (other functions of Health and Wellbeing Boards),...
- 186 In section 241 (commissioning guidance), in subsection (1), for “section...
- 187 (1) Section 298 (advice or assistance to public authorities in...
- 188 In section 306 (commencement), omit subsection (7).
- 189 Omit Schedule 6 (transitional provision in connection with clinical commissioning...
- 190 Anti-social Behaviour, Crime and Policing Act 2014
- 191 In section 105 (ASB case reviews: interpretation), in subsection (2),...
- 192 In Schedule 4 (case reviews: supplementary provision), in paragraph 5(2)(a),...
- 193 Care Act 2014
- 194 In section 6 (co-operating generally), in subsection (8)(b), for “a...
- 195 (1) Section 22 (exception for provision of health services) is...
- 196 In section 52 (sections 48 to 51: supplementary), in subsection...
- 197 In Schedule 1 (cross-border placements), in paragraph 1(5)(a)(ii), (b)(ii) and...
- 198 (1) Paragraph 1 of Schedule 2 (Safeguarding Adults Boards) is...
- 199 Children and Families Act 2014
- 200 (1) Section 23 (duty of health bodies to bring certain...
- 201 (1) Section 26 (joint commissioning arrangements) is amended as follows....
- 202 In section 28 (co-operating generally: local authority functions), in subsections...
- 203 In section 31 (co-operating in specific cases: local authority functions),...
- 204 In section 53 (mediation: health care issues), in subsection (5),...
- 205 In section 56 (mediation: supplementary), in subsection (3), for paragraph...
- 206 In section 57 (resolution of disagreements), in subsection (7), for...
- 207 In section 77 (code of practice), in subsection (1), for...
- 208 Immigration Act 2014
- 209 Local Audit and Accountability Act 2014
- 210 In section 4 (general requirements for audit), for subsection (4)...
- 211 In section 8 (procedure for appointment), in subsection (4), for...
- 212 In section 10 (functions of auditor panel), in subsection (10),...

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 213 In section 21 (general duties of auditors of accounts of...
- 214 (1) Section 44 (interpretation of Act) is amended as follows....
- 215 In Schedule 2 (relevant authorities), for paragraph 23 substitute— An integrated care board.
- 216 In Schedule 5 (eligibility and regulation of local auditors), in...
- 217 In Schedule 7 (reports and recommendations), in paragraph 4(8), for...
- 218 Social Services and Well-being (Wales) Act 2014 (anaw 4)
- 219 In section 47 (exception for provision of health services), in...
- 220 In section 77 (accommodation for children in police protection or...
- 221 In section 104 (young people entitled to support under sections...
- 222 In section 118 (information), in subsection (2)(c)—
- 223 In section 164A (duty of other persons to co-operate and...
- 224 In section 193 (recovery of costs between local authorities), in...
- 225 In section 197 (general interpretation and index of defined expressions),...
- 226 Housing (Wales) Act 2014 (anaw 7)
- 227 Counter-Terrorism and Security Act 2015
- 228 Cities and Local Government Devolution Act 2016
- 229 Data Protection Act 2018
- 230 Additional Learning Needs and Education Tribunal (Wales) Act 2018 (anaw 2)
- 231 In section 4 (additional learning needs code), in subsection (3)—...
- 232 In section 64 (duty of health bodies to notify parents...
- 233 In section 65 (duties to provide information and other help),...
- 234 In section 99 (general interpretation), in subsection (1)—
- 235 Network and Information Systems Regulations 2018 (S.I. 2018/506)
- 236 In regulation 1(2) (interpretation), in the definition of “OES”, after...
- 237 (1) Regulation 8 (identification of operators of essential services) is...
- 238 NHS Funding Act 2020
- 239 Domestic Abuse Act 2021
- 240 Police, Crime, Sentencing and Courts Act 2022
- 241 (1) Section 25 (relevant review partners) is amended as follows....
- 242 In section 36 (interpretation), in subsection (1)—
- 243 In Schedule 1 (specified authorities and local government areas), in...

#### SCHEDULE 5 — Abolition of Monitor and transfer of its functions

- 1 General
- 2 Public Bodies (Admission to Meetings) Act 1960
- 3 Parliamentary Commissioner Act 1967
- 4 Superannuation Act 1972
- 5 House of Commons Disqualification Act 1975
- 6 Northern Ireland Assembly Disqualification Act 1975
- 7 Employment Rights Act 1996
- 8 Freedom of Information Act 2000
- 9 National Health Service Act 2006
- 10 For section 2 substitute— General power (1) The Secretary of State may do anything which is...
- 11 In section 33 (applications by NHS trusts), in each of...
- 12 (1) Section 35 (authorisation of NHS foundation trusts) is amended...
- 13 In section 37 (amendments of constitution), in subsection (4)—
- 14 (1) Section 39 (register of NHS foundation trusts) is amended...
- 15 In section 39A (panel for advising governors), in subsections (1)...
- 16 In section 42A (criteria for making loans etc), in subsection...

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 17 In section 50 (fees), for “the regulator”, in both places...
- 18 In section 56 (mergers), in subsection (1), for “the regulator”...
- 19 (1) Section 56A (acquisitions) is amended as follows.
- 20 In section 56AA (acquisitions under section 56A: supplementary), in subsection...
- 21 In section 56B (separations), in subsection (1), for “the regulator”...
- 22 In section 57 (sections 56 to 56B: supplementary), in subsections...
- 23 (1) Section 57A (dissolution) is amended as follows.
- 24 In section 64 (orders and regulations under Chapter), in subsection...
- 25 (1) Section 244 (review and scrutiny by local authorities) is...
- 26 In section 247C (Secretary of State’s duty to keep health...
- 27 In section 258 (university clinical teaching and research), after subsection...
- 28 In section 272 (orders, regulations, rules and directions), in subsection...
- 29 In section 275 (interpretation), in subsection (1), omit the definition...
- 30 In section 276 (index of defined expressions), omit the entry...
- 31 (1) Schedule 7 (constitution of public benefit corporations) is amended...
- 32 In Schedule 10 (audit of accounts of NHS foundation trusts)—...
- 33 National Health Service (Wales) Act 2006
- 34 Health and Social Care Act 2008
- 35 In section 20A (functions relating to processing of information by...
- 36 In section 30 (urgent procedure for cancellation), in subsection (3),...
- 37 In section 39 (bodies required to be notified of certain...
- 38 In section 45A (functions to be exercised by Healthwatch England),...
- 39 In section 59 (additional functions), in subsection (2), for “Monitor”...
- 40 (1) Section 70 (Co-operation between the Care Quality Commission and...
- 41 Health Act 2009
- 42 In section 2 (duty to have regard to NHS Constitution),...
- 43 In section 9 (supplementary provision about the duty), in subsection...
- 44 Equality Act 2010
- 45 Health and Social Care Act 2012
- 46 In Part 3, omit Chapter 1 (Monitor).
- 47 (1) Section 83 (exemption regulations) is amended as follows.
- 48 In section 84 (exemption regulations: supplementary), in subsection (5) (a), omit...
- 49 In section 85 (application for licence), in subsections (1) and...
- 50 In section 86 (licensing criteria), in each of subsections (1)...
- 51 In section 87 (grant or refusal of licence), in subsections...
- 52 In section 88 (application and grant: NHS foundation trusts), in...
- 53 In section 89 (revocation of licence), for “Monitor”, in both...
- 54 (1) Section 90 (right to make representations) is amended as...
- 55 In section 91 (notice of decisions), in subsections (1), (2)...
- 56 (1) Section 92 (appeals to the Tribunal) is amended as...
- 57 In section 93 (register of licence holders), in each of...
- 58 (1) Section 94 (standard conditions) is amended as follows.
- 59 (1) Section 95 (special conditions) is amended as follows.
- 60 (1) Section 96 (limits on Monitor’s functions to set or...
- 61 In section 97 (conditions: supplementary), in subsections (1)(a), (b), (e),...
- 62 (1) Section 98 (conditions relating to the continuation of the...



**Changes to legislation:** *Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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*

---

- 63 (1) Section 99 (notification of commissioners where continuation of services...
- 64 (1) Section 100 (modification of standard conditions) is amended as...
- 65 In section 102 (modification of conditions by order under other...
- 66 (1) Section 104 (power to require documents and information) is...
- 67 In section 105 (discretionary requirements), in subsections (1), (2)(a), (b)...
- 68 In section 106 (enforcement undertakings), in subsections (1), (4) and...
- 69 (1) Section 108 (guidance as to use of enforcement powers)...
- 70 In section 109 (publication of enforcement action), in subsections (1)...
- 71 In section 110 (notification of enforcement action), in subsection (1) —...
- 72 In section 111 (imposition of licence conditions on NHS foundation...
- 73 (1) Section 113 (orders under section 112: criteria for deciding...
- 74 In section 128 (health special administration orders), in subsection (2),...
- 75 (1) Section 130 (health special administration regulations) is amended as...
- 76 In section 131 (transfer schemes), in subsection (2)(a), (b) and...
- 77 In section 132 (indemnities), for “Monitor” substitute “NHS England”.
- 78 In section 134 (duty to establish mechanisms for providing financial...
- 79 (1) Section 135 (power to establish fund) is amended as...
- 80 In section 136 (applications), in each of subsections (1) to...
- 81 In section 137 (grants and loans), in each of subsections...
- 82 (1) Section 138 (power to impose charges on commissioners) is...
- 83 (1) Section 139 (imposition of levy) is amended as follows....
- 84 In section 140 (power of Secretary of State to set...
- 85 (1) Section 141 (consultation) is amended as follows.
- 86 In section 143 (amount payable), in each of subsections (1),...
- 87 In section 144 (investment principles and reviews), in each of...
- 88 In section 145 (borrowing), in subsections (1) and (2), for...
- 89 In section 146 (shortfall or excess of available funds, etc),...
- 90 (1) Section 148 (service of documents) is amended as follows...
- 91 In section 149 (electronic communications), in each of subsections (2)...
- 92 (1) Section 150 is amended as follows.
- 93 In section 175 (objective of trust special administration), omit subsection...
- 94 (1) Section 254 (powers to direct Information Centre to establish...
- 95 In section 255 (powers to request Information Centre to establish...
- 96 (1) In section 288 (duty to co-operate with Care Quality...
- 97 (1) Section 290 (other duties to co-operate) is amended as...
- 98 In section 291 (breaches of duties to co-operate), in subsection...
- 99 (1) Section 304 (regulations, orders and directions) is amended as...
- 100 (1) Schedule 11 (further provision about Monitor’s enforcement powers) is...
- 101 Local Audit and Accountability Act 2014
- 102 Mental Health Units (Use of Force) Act 2018
- 103 Domestic Abuse Act 2021

SCHEDULE 6 — Intervention powers over the reconfiguration of NHS services

SCHEDULE 7 — NHS trusts in England and removal of power to appoint trustees: consequential amendments

1 Value Added Tax Act 1994

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

- 2 Finance Act 2003
- 3 National Health Service Act 2006
- 4 In section 215 (trustees and property under section 222), in...
- 5 In section 217 (supplementary provisions about trusts), in subsection (1),...
- 6 In Schedule 4 (NHS trusts), in paragraph 12, omit sub-paragraph...
- 7 National Health Service (Wales) Act 2006
- 8 Health and Social Care Act 2012
- 9 In section 112 (transitional provision relating to abolition of NHS...
- 10 Omit section 180 (repeal of provisions on authorisation for NHS...
- 11 In section 200 (care trusts), omit subsection (15).
- 12 In Schedule 13, in paragraph 10 (saving provision: general duty...
- 13 Omit Schedule 14 (abolition of NHS trusts in England: consequential...
- 14 Finance Act 2012
- 15 Local Audit and Accountability Act 2014
- 16 In section 3 (general requirements for accounts), for subsection (9)...
- 17 In section 4 (general requirements for audit), at the end...
- 18 In section 8 (procedure for appointment), in subsection (4), at...
- 19 In section 10 (functions of auditor panel), in subsection (10),...
- 20 In section 12 (failure to appoint local auditor), in subsections...
- 21 (1) Section 13 (failure of clinical commissioning group to appoint...
- 22 In section 21 (general duties of auditors of accounts of...
- 23 In section 30 (unlawful expenditure or activity of health service...
- 24 In section 43 (orders and regulations), in subsection (6), omit...
- 25 In section 44 (interpretation), in the definition of “accounts”, for...
- 26 Omit section 47 (application to NHS trusts and trustees).
- 27 In Schedule 2 (relevant authorities), after paragraph 23 insert— An NHS trust all or most of whose hospitals, establishments...
- 28 In Schedule 5 (eligibility and regulation of local auditors), in...
- 29 (1) Schedule 7 (reports and recommendations) is amended as follows....
- 30 Finance Act 2015
- 31 NHS (Charitable Trusts Etc) Act 2016

#### SCHEDULE 8 — Trust special administrators: NHS trusts and NHS foundation trusts

##### PART 1 — AMENDMENTS ABOUT TRUST SPECIAL ADMINISTRATORS

- 1 The National Health Service Act 2006 is amended as follows....
- 2 For section 65B substitute— NHS trusts: appointment of trust special...
- 3 (1) Section 65D (NHS foundation trusts: appointment of trust special...
- 4 (1) Section 65DA (objective of trust special administration) is amended...
- 5 (1) Section 65F (draft report) is amended as follows.
- 6 (1) Section 65G (consultation plan) is amended as follows.
- 7 (1) Section 65H (consultation requirements) is amended as follows.
- 8 (1) Section 65I (final report) is amended as follows.
- 9 (1) Section 65J (power to extend time) is amended as...
- 10 In the italic heading before section 65K for “the regulator”...
- 11 For section 65K substitute— Decision of NHS England or Secretary...
- 12 (1) Section 65KA (regulator’s decision in case of NHS foundation...
- 13 (1) Section 65KB (Secretary of State’s response to regulator’s decision)...
- 14 In section 65KC (action following Secretary of State’s rejection of...
- 15 (1) In section 65KD (Secretary of State’s response to resubmitted...

**Changes to legislation:** *Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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*

---

- 16 (1) Section 65L (trusts coming out of administration) is amended...
  - 17 In section 65LA (trusts to be dissolved), in subsection (3),...
  - 18 (1) Section 65M (replacement of trust special administrator) is amended...
  - 19 (1) Section 65N (guidance) is amended as follows.
  - 20 In section 65O (interpretation of Chapter), in subsection (1), in...
  - 21 In section 272 (orders, regulations, rules and directions), in subsection...
- PART 2 — CONSEQUENTIAL AMENDMENTS
- 22 National Health Service Act 2006
  - 23 In section 13Q (public involvement and consultation by NHS England),...
  - 24 In section 242 (public involvement and consultation by NHS trusts),...
  - 25 Health and Social Care Act 2008

SCHEDULE 9 — References to functions: treatment of delegation arrangements etc

- 1 Local Government Act 1974
- 2 Children Act 1989
- 3 National Health Service and Community Care Act 1990
- 4 Adoption and Children Act 2002
- 5 Health and Social Care (Community Health and Standards) Act 2003
- 6 National Health Service Act 2006
- 7 In section 13Z4 (interpretation of Chapter A1 of Part 2),...
- 8 In section 73A (appointment of directors of public health), in...
- 9 In section 73B (exercise of public health functions of local...
- 10 In section 73C (complaints about exercise of public health functions...
- 11 In section 223K (payments in respect of quality), in subsection...
- 12 In section 244 (review and scrutiny by local authorities), in...
- 13 In section 252A (role of NHS England and clinical commissioning...
- 14 In section 253 (emergency powers), in subsection (1A), in paragraph...
- 15 Local Government and Public Involvement in Health Act 2007
- 16 Health and Social Care Act 2008
- 17 Health and Social Care Act 2012
- 18 In section 197 (participation of NHS England in Health and...
- 19 In section 199 (supply of information to Health and Wellbeing...
- 20 In section 234 (quality standards), in subsection (11), for the...
- 21 In section 237 (advice, guidance, information and recommendations), in subsection...
- 22 In section 250 (powers to publish information standards), in subsection...
- 23 In section 263 (code of practice on confidential information), after...
- 24 In section 274 (powers of Secretary of State or Board...
- 25 In section 290 (duties to co-operate), in subsection (2), at...

SCHEDULE 10 — The NHS payment scheme

- 1 The Health and Social Care Act 2012 is amended as...
- 2 In section 97 (conditions of licences for health care service...
- 3 In Part 3, for Chapter 4 substitute— CHAPTER 4 The...
- 4 In section 304 (regulations, orders and directions), in subsection (5),...

SCHEDULE 11 — Patient choice: undertakings by integrated care boards

SCHEDULE 12 — Removal of functions relating to competition etc

- 1 Company Directors Disqualification Act 1986

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 2 Competition Act 1998
- 3 Enterprise Act 2002
- 4 Health and Social Care Act 2012
- 5 In section 74 (competition functions: supplementary), omit subsections (1) to...
- 6 In section 288 (Monitor: duty to cooperate with Care Quality...
- 7 Enterprise and Regulatory Reform Act 2013
- 8 In Schedule 4 (the Competition and Markets Authority), in paragraph...
- 9 In Schedule 14 (regulators: use of powers under the Competition...
- 10 Care Act 2014

### SCHEDULE 13 — The Health Services Safety Investigations Body

#### PART 1 — CONSTITUTION

- 1 Status
- 2 Membership
- 3 The Chief Investigator: appointment and status
- 4 Other executive members: appointment and status
- 5 Non-executive members: tenure
- 6 Non-executive members: suspension from office
- 7 (1) Where a person is suspended from office as the...
- 8 Non-executive members: payment
- 9 Staff
- 10 Procedure
- 11 Committees
- 12 Exercise of functions
- 13 Assistance in exercise of functions
- 14 Funding
- 15 Supplementary powers
- 16 Use of income from charges
- 17 Losses and liabilities etc
- 18 Accounts
- 19 (1) The HSSIB must prepare annual accounts in respect of...
- 20 Reports and other information
- 21 Seal and signature
- 22 PART 2 — TRANSFER SCHEMES
- 22 (1) The Secretary of State may, in connection with the...
- 23 (1) The Treasury may by regulations make provision varying the...

### SCHEDULE 14 — Prohibition on disclosure of HSSIB material: exceptions

- 1 Disclosures for purposes of investigations
- 2 The HSSIB, or an individual connected with the HSSIB, may...
- 3 Disclosures relating to prosecution or investigation of offences
- 4 Disclosures relating to safety risks
- 5 Disclosure by order of the High Court
- 6 Exercise of Chief Investigator's functions
- 7 Guidance

### SCHEDULE 15 — Consequential amendments relating to Part 4

- 1 Public Records Act 1958 (c. 51)
- 2 Public Bodies (Admission to Meetings) Act 1960 (c. 67)
- 3 Parliamentary Commissioner Act 1967 (c. 13)
- 4 House of Commons Disqualification Act 1975 (c. 24)
- 5 Copyright, Designs and Patents Act 1988 (c. 48)

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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

---

- 6 Employment Rights Act 1996 (c. 18)
- 7 Freedom of Information Act 2000 (c. 36)
- 8 National Health Service Act 2006 (c. 41)
- 9 Health Act 2009 (c. 21)
- 10 Equality Act 2010 (c. 15)

SCHEDULE 16 — Virginity testing and hymenoplasty: consequential amendments

- 1 Police and Criminal Evidence Act 1984
- 2 Police and Criminal Evidence (Northern Ireland) Order 1989
- 3 Criminal Justice and Public Order Act 1994
- 4 Criminal Procedure (Scotland) Act 1995
- 5 In section 19A (samples etc. from persons convicted of sexual...
- 6 In section 271BZA (child witnesses in certain solemn cases: special...
- 7 Crime and Disorder Act 1998
- 8 Protection of Vulnerable Groups (Scotland) Act 2007 (asp 2007)
- 9 Modern Slavery Act 2015

SCHEDULE 17 — Storage of gametes and embryos

PART 1 — AMENDMENTS TO HUMAN FERTILISATION AND EMBRYOLOGY  
ACT 1990

- 1 Introductory
  - 2 Maximum storage periods
  - 3 In section 47 (index), omit the entry for the “Statutory...
  - 4 In Schedule 3 (consents), in paragraph 2(2)(a), for “statutory storage...
  - 5 Disposal of material
  - 6 In section 17 (the person responsible), in subsection (1)(c), for...
  - 7 Consent to storage
- PART 2 — TRANSITIONAL PROVISION
- 8 Interpretation
  - 9 Application of Part 1 to material already in storage
  - 10 The amendments made by paragraph 7 of this Schedule have...
  - 11 Date of first storage
  - 12 Storage periods specified in pre-commencement storage licences
  - 13 Storage after expiry of pre-commencement consent
  - 14 Storage with no effective consent prior to commencement
  - 15 Time for first renewal of consent
  - 16 (1) This paragraph applies in relation to the storage of...
  - 17 Renewals falling due in the transitional period
  - 18 (1) This paragraph applies in relation to the storage of...

SCHEDULE 18 — Advertising of less healthy food and drink

PART 1 — PROGRAMME SERVICES: WATERSHED

- 1 Television programme services
  - 2 On-demand programme services
- PART 2 — ONLINE SERVICES: PROHIBITION
- 3 In the Communications Act 2003, after Part 4B insert— PART...
- PART 3 — CONSEQUENTIAL AMENDMENTS
- 4 The Communications Act 2003 is amended as follows.
  - 5 In section 368C (on-demand programme services: duties of the appropriate...
  - 6 In section 402(2) (instruments subject to negative procedure) —

SCHEDULE 19 — Licensing of cosmetic procedures

**Changes to legislation:** Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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](#)

---

- 1 Introduction
- 2 Grant of licence
- 3 The regulations may make provision requiring a local authority not...
- 4 Licence conditions
- 5 Duration of licence etc
- 6 Reviews and appeals
- 7 Offences
- 8 Financial penalties
- 9 Enforcement
- 10 Fees
- 11 Guidance
- 12 Interpretation

**Changes to legislation:**

Health and Care Act 2022 is up to date with all changes known to be in force on or before 23 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.

[View outstanding changes](#)

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

- s. 169(5) coming into force by [S.I. 2024/511 reg. 2](#)