

## SCHEDULES

### SCHEDULE 8

#### TRUST SPECIAL ADMINISTRATORS: NHS TRUSTS AND NHS FOUNDATION TRUSTS

#### PART 2

#### CONSEQUENTIAL AMENDMENTS

##### *National Health Service Act 2006*

- 22 The National Health Service Act 2006 is amended as follows.
- 23 In section 13Q (public involvement and consultation by NHS England), for subsection (4) substitute—
- “(4) This section does not require NHS England to make arrangements in relation to matters to which a trust special administrator’s draft or final report under section 65F or 65I relates before—
- (a) in a case where the administrator’s report relates to an NHS trust, NHS England and the Secretary of State have made their decisions under section 65K(1) and (2), or
  - (b) in a case where the administrator’s report relates to an NHS foundation trust, the Secretary of State is satisfied as mentioned in section 65KB(1) or 65KD(1) or makes a decision under section 65KD(9).”
- 24 In section 242 (public involvement and consultation by NHS trusts), for subsection (6) substitute—
- “(6) This section does not require a body to make arrangements in relation to matters to which a trust special administrator’s draft or final report under section 65F or 65I relates before—
- (a) in a case where the administrator’s report relates to an NHS trust, NHS England and the Secretary of State have made their decisions under section 65K(1) and (2), or
  - (b) in a case where the administrator’s report relates to an NHS foundation trust, the Secretary of State is satisfied as mentioned in section 65KB(1) or 65KD(1) or makes a decision under section 65KD(9).”

##### *Health and Social Care Act 2008*

- 25 In section 29A of the Health and Social Care Act 2008 (warning notice: quality of health care), in subsection (5), for paragraph (b) substitute—

*Status: This is the original version (as it was originally enacted).*

---

“(b) must consider in particular whether to require NHS England to make an order under section [65B\(1\)](#) or [65D\(2\)](#) of the National Health Service Act 2006 (appointment of trust special administrator).”