



Health and Care Act 2022

2022 CHAPTER 31

PART 1

HEALTH SERVICE IN ENGLAND: INTEGRATION, COLLABORATION AND OTHER CHANGES

Competition

82 Duty to provide assistance to the CMA

- (1) After section 13SB of the National Health Service Act 2006 (inserted by section 34(2) of this Act) insert—

“13SC Provision of regulatory information or assistance to the CMA

- (1) NHS England must give the Competition and Markets Authority (“the CMA”) —

- (a) any regulatory information that the CMA may require to enable the CMA to exercise its relevant functions,
- (b) any other regulatory information it considers would assist the CMA in exercising its relevant functions, and
- (c) any other assistance the CMA may require to assist the CMA in exercising its relevant functions.

- (2) In this section—

“regulatory information” means information held by NHS England in connection with—

- (a) its regulatory functions falling within section 13SB(2)(a) or (b),
or
- (b) its functions under—
 - (i) sections 6F and Schedule 1ZA (patient choice: enforcement);

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 82. (See end of Document for details)

(ii) sections [27A](#) and [27C](#) (NHS trusts: oversight and support and recommendations about restructuring);

“relevant functions”, in relation to the CMA, means its functions under the Competition Act 1998 and the Enterprise Act 2002 so far as those functions are exercisable on behalf of the CMA by the CMA Board or a CMA group (within the meaning of Schedule 4 to the Enterprise and Regulatory Reform Act 2013).”

(2) In the Health and Social Care Act 2012, omit section 80 (co-operation between monitor and CMA).

Commencement Information

I1 S. 82 not in force at Royal Assent, see [s. 186\(6\)](#)

I2 [S. 82](#) in force at 1.7.2022 by [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with [regs. 13, 20, 29, 30](#))

Changes to legislation:

There are currently no known outstanding effects for the Health and Care Act 2022, Section 82.