



Health and Care Act 2022

2022 CHAPTER 31

PART 2

HEALTH AND ADULT SOCIAL CARE: INFORMATION

94 Regulations under section 92: consent

- (1) Before making regulations under section 92, the Secretary of State must—
 - (a) obtain the consent of the Scottish Ministers in relation to any provision which—
 - (i) would be within the legislative competence of the Scottish Parliament, if contained in an Act of that Parliament, and
 - (ii) is not merely incidental to, or consequential on, provision which would be outside that legislative competence;
 - (b) obtain the consent of the Welsh Ministers in relation to any provision which—
 - (i) would be within the legislative competence of Senedd Cymru, if contained in an Act of the Senedd, and
 - (ii) is not merely incidental to, or consequential on, provision which would be outside that legislative competence;
 - (c) obtain the consent of the Department of Health in Northern Ireland in relation to any provision which—
 - (i) would be within the legislative competence of the Northern Ireland Assembly, if contained in an Act of that Assembly, and
 - (ii) is not merely incidental to, or consequential on, provision which would be outside that legislative competence.
- (2) Consent is not required under subsection (1)(c) in relation to any provision if—
 - (a) a Bill for an Act of the Northern Ireland Assembly containing the provision would require the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998, and
 - (b) the provision does not affect, other than incidentally, a transferred matter (within the meaning of that Act).

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 94. (See end of Document for details)

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Commencement Information

- I1** S. 94 not in force at Royal Assent, see [s. 186\(6\)](#)
- I2** [S. 94](#) in force at 1.7.2022 by [S.I. 2022/734](#), reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)

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