
STATUTORY INSTRUMENTS

2022 No. 734

The Health and Care Act 2022 (Commencement No. 2
and Transitional and Saving Provision) Regulations 2022

PART 6

Transitional and saving provision in relation
to the abolition of Monitor and the Authority

Supplementary provision: general continuity

13.—(1) NHS England may do anything which appears necessary or appropriate for the winding up of the affairs of Monitor and the Authority.

(2) Any—

(a) act or omission; or

(b) other thing (including legal proceedings)—

(i) done; or

(ii) which, immediately before this provision comes into force, is in the process of being done,

by or in relation to Monitor or the Authority is to be treated as an act, omission or thing done or in the process of being done, and capable of being continued, by or in relation to NHS England.

(3) Paragraph (2) does not apply in relation to a complaint or an investigation described in regulation 13(8) of the National Health Service (Procurement, Patient Choice and Competition) (No. 2) Regulations 2013⁽¹⁾.

(4) Any reference to—

(a) Monitor or the Authority in an agreement (whether written or otherwise); or

(b) the Authority in an instrument or other document,

made before this provision comes into force is to be read, in relation to any time after this provision comes into force, as a reference to NHS England.

⁽¹⁾ S.I. 2013/500. Regulation 13(8) is inserted by regulation 21(4)(c)(iii) of these Regulations.