
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**

**Transitional provision: investigations of Monitor by the Parliamentary Commissioner of
Administration**

7.—(1) The amendment made by paragraph 3 of Schedule 5 (abolition of Monitor and transfer of its functions) to the 2022 Act does not prevent the Parliamentary Commissioner Act 1967⁽¹⁾ (the “1967 Act”) from applying to an action taken by or on behalf of Monitor before 1st July 2022 (a “relevant action”).

- (2) For the purposes of an investigation—
- (a) in respect of a relevant action; and
 - (b) which is commenced on or after 1st July 2022,

Schedule 2 to the Parliamentary Commissioner Act 1967 applies as if it includes an entry for NHS England.

- (3) Where—
- (a) an investigation in respect of a relevant action is concluded on or after 1st July 2022, and
 - (b) section 10(2) of the 1967 Act⁽²⁾ would, had the investigation concluded before 1st July 2022, have required the Commissioner to send a report of the results of the investigation to the principal officer of Monitor,

the Commissioner must instead send such a report to the principal officer of NHS England.

- (4) In this regulation, “Commissioner” has the meaning given by section 12(1) of the 1967 Act⁽³⁾.

⁽¹⁾ 1967 c. 13.

⁽²⁾ Section 10 was amended by paragraph 5(2) to (6) of the Domestic Violence, Crime and Victims Act 2004 (c. 28).

⁽³⁾ There are amendments to section 12(1), but none is relevant.