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STATUTORY INSTRUMENTS

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**2023 No. 634**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (Liabilities to Third Parties Scheme) (England) (Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>12th June 2023</i>
<i>Laid before Parliament</i>		<i>13th June 2023</i>
<i>Coming into force</i>	- -	<i>11th July 2023</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 71 and 272(7) and (8) of the National Health Service Act 2006<sup>(1)</sup>.

In accordance with section 71(1) of that Act, these Regulations are made with the consent of the Treasury.

**Citation, commencement and extent**

1. These Regulations—

- (a) may be cited as the National Health Service (Liabilities to Third Parties Scheme) (England) (Amendment) Regulations 2023;
- (b) come into force on 11th July 2023; and
- (c) extend to England and Wales.

**Amendment of the National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018**

2.—(1) The National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018<sup>(2)</sup> are amended as follows.

(2) In regulation 4, in paragraph (1)—

- (a) after sub-paragraph (j) omit “and”;

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(1) [2006 c. 41](#). Section 71 was amended by section 142 of, and paragraph 85 of Schedule 5 to, the Health and Social Care Act [2008 \(c. 14\)](#); by paragraph 18 of Schedule 4, paragraph 19 of Schedule 7 and paragraph 10(3) of Schedule 17 to the Health and Social Care Act [2012 \(c. 7\)](#); by paragraph 18(9) of Schedule 7 to the Care Act [2014 \(c. 23\)](#); by paragraph 5(4) of Schedule 1 to the Medicines and Medical Devices Act [2021 \(c. 3\)](#); by paragraph 1(1) of Schedule 1 and paragraph 101 of Schedule 4 to the Health and Care Act [2022 \(c. 31\)](#); and by [S.I. 2008/2250](#), [2023/98](#) and [368](#). The powers conferred by the National Health Service Act 2006 which are exercised by the Secretary of State in making these Regulations are exercisable only in relation to England by virtue of section 271(1) of that Act.

(2) [S.I. 2018/756](#). Amended by [S.I. 2022/634](#), [2023/98](#) and [368](#).

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(b) at the end of sub-paragraph (k) insert—

“, and

(l) the Commissioner for Patient Safety”.

Signed by authority of the Secretary of State for Health and Social Care.

12th June 2023

*Maria Caulfield*  
Parliamentary Under-Secretary of State,  
Department of Health and Social Care

We consent

12th June 2023

*Andrew Stephenson*  
*Scott Mann*  
Two of the Lords Commissioners of His  
Majesty's Treasury

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018 to add the Commissioner for Patient Safety as a body which is eligible to be a member of the NHS Liabilities to Third Parties Scheme.

A full impact statement has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or community bodies is foreseen.