
EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations abolish the Health and Social Care Information Centre (informally known as NHS Digital) (“the Information Centre”) and transfer its functions to NHS England. They also make associated consequential and transitional provision.

The Information Centre and NHS England are bodies corporate established under section 252 of the Health and Social Care Act 2012 (c. 7) (“the 2012 Act”) and section 1H of the National Health Service Act 2006 (c. 41) respectively.

The transfer of functions is given effect by making amendments to the 2012 Act and to other pieces of primary and secondary legislation (see regulation 2 and the Schedule).

Regulation 2 abolishes the Information Centre.

Regulation 3 makes transitional and saving provision in relation to directions. It provides for directions given by NHS England to the Information Centre to be treated as given by the Secretary of State to NHS England. It also provides for certain directions given by the Secretary of State or NHS England to the Information Centre to be treated as if given under the corresponding provision of the National Health Service Act 2006. Directions given by the Secretary of State to the Information Centre would continue in force (as the powers under which they were given continue in force); by virtue of regulation 6, those directions would be treated as given by the Secretary of State to NHS England.

Regulations 4 and 5 make transitional provision about final reports and accounts in relation to the Information Centre.

Regulation 6 makes transitional provision including in relation to legal proceedings, references in enactments and other instruments, and documents and forms.

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