

**2021 No. 712 (C. 32)**

**NATIONAL HEALTH SERVICE**

**The NHS (Charitable Trusts Etc) Act 2016 (Commencement)  
Regulations 2021**

*Made* - - - -

*16th June 2021*

The Secretary of State for Health and Social Care makes the following Regulations in exercise of the power conferred by section 5(1) of the NHS (Charitable Trusts Etc) Act 2016(a).

**Citation and extent**

1. These Regulations may be cited as the NHS (Charitable Trusts Etc) Act 2016 (Commencement) Regulations 2021.

2. These Regulations extend to England and Wales.

**Appointed day**

3. The following provisions of the NHS (Charitable Trusts Etc) Act 2016 come into force on the 17th June 2021—

- (a) section 1 (removal of Secretary of State’s powers to appoint trustees), other than subsection (9), insofar as that subsection relates to the provisions in Schedule 1 excepted from commencement by paragraph (c) below;
- (b) section 2 (section 1: supplementary provision); and
- (c) Schedule 1 (section 1: consequential amendments), except for—
  - (i) paragraph 4(b)(ii),
  - (ii) paragraph 14,
  - (iii) paragraph 18(f) and 18(h), and
  - (iv) paragraph 19.

16th June 2021

*Edward Argar*  
Minister of State,  
Department of Health and Social Care

**EXPLANATORY NOTE**

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

These Regulations, subject to certain exceptions specified in the regulations, commence sections 1 and 2 of the NHS (Charitable Trusts Etc) Act 2016 (c.10) (“the Act”) which remove powers in the National Health Service Act 2006 (c.41) for the Secretary of State to appoint certain trustees. Regulation 3 commences sections 1 and 2 of the Act and Schedule 1 to the Act on 17th June 2021

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(a) 2016 c.10.

except for certain consequential amendments made by Schedule 1 which will remain in force for the time being. These are: paragraph 4(b)(ii) (which relates to section 215 of the National Health Service Act 2006 (c.41)), paragraph 14 (which relates to section 163(3) of the National Health Service (Wales) Act 2006 (c.42)), paragraphs 18(f) and 18(h) (which relate to section 43(6)(b) and section 47 of the Local Audit and Accountability Act 2014 (c.2)) and paragraph 19 (which relates to schedule 13 of the Local Audit and Accountability Act 2014(c.2)).

A full impact assessment has not been produced for this instrument as these Regulations themselves have no impact on the private sector or civil society organisations.

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