



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 11

#### MISCELLANEOUS

*Information relating to births and deaths etc.*

#### **284 Special notices of births and deaths**

- (1) Section 269 of the National Health Service Act 2006 (special notices of births and deaths) is amended as follows.
- (2) For subsection (2) substitute—
  - “(2) Each registrar of births and deaths must furnish to such relevant body or bodies as may be determined in accordance with regulations the particulars of such births or deaths entered in a register of births or deaths kept for the registrar’s sub-district as may be prescribed.”
- (3) In subsection (4) for “the Primary Care Trust for the area in which the birth takes place” substitute “such relevant body or bodies as may be determined in accordance with regulations”.
- (4) In subsection (6)—
  - (a) after “under subsection (4)” insert “to a relevant body”, and
  - (b) for “the Primary Care Trust” (in each place where it occurs) substitute “the body”.
- (5) In subsection (7)—
  - (a) for “A Primary Care Trust” substitute “A relevant body to whom notice is required to be given under subsection (4)”, and
  - (b) for “any medical practitioner or midwife residing or practising within its area” substitute “such descriptions of medical practitioners or midwives as may be prescribed”.

- (6) In subsection (9) for “the Primary Care Trust concerned” substitute “the relevant body or bodies to whom the failure relates”.
- (7) In subsection (10), in paragraph (a) for “a Primary Care Trust” substitute “a relevant body”.
- (8) After subsection (10) insert—
- “(11) For the purposes of this section, the following are relevant bodies—
- (a) the National Health Service Commissioning Board,
- (b) clinical commissioning groups,
- (c) local authorities.
- (12) Information received by a local authority by virtue of this section may be used by it only for the purposes of functions exercisable by it in relation to the health service.
- (13) In this section, “local authority” has the same meaning as in section 2B.”
- (9) Until the commencement of section 34, section 269(11) of the National Health Service Act 2006 has effect as if Primary Care Trusts were included in the list of bodies that are relevant bodies for the purposes of that section.

## **285 Provision of information by Registrar General**

- (1) Section 270 of the National Health Service Act 2006 (provision of information by Registrar General) is amended as follows.
- (2) In subsection (1) —
- (a) for “the Secretary of State” substitute “any of the following persons”, and
- (b) at the end insert “—
- (a) the Secretary of State,
- (b) the Board,
- (c) a clinical commissioning group,
- (d) a local authority,
- (e) the National Institute for Health and Care Excellence,
- (f) the Health and Social Care Information Centre,
- (g) a Special Health Authority which has functions that are exercisable in relation to England,
- (h) the Care Quality Commission, and
- (i) such other persons as the Secretary of State may specify in a direction.”
- (3) In subsection (2) —
- (a) for “the Secretary of State” substitute “the person to whom the information is provided”, and
- (b) for “his functions” substitute “functions exercisable by the person”.
- (4) After subsection (4) insert—
- “(5) In this section, “local authority” has the same meaning as in section 2B.”

## **286 Provision of information by Registrar General: Wales**

- (1) Section 201 of the National Health Service (Wales) Act 2006 (provision of information by Registrar General) is amended as follows.
- (2) In subsection (1) —
  - (a) for “the Welsh Ministers” substitute “any of the following persons”, and
  - (b) at the end insert “—
    - (a) the Welsh Ministers,
    - (b) a Special Health Authority which has functions that are exercisable in relation to Wales,
    - (c) a Local Health Board,
    - (d) an NHS trust established under section 18, and
    - (e) such other persons as the Welsh Ministers may specify in a direction.”
- (3) In subsection (2) —
  - (a) for “the Welsh Ministers” substitute “the person to whom the information is provided”, and
  - (b) for “their functions” substitute “functions exercisable by the person”.

## **287 Provision of statistical information by Statistics Board**

- (1) Section 42 of the Statistics and Registration Service Act 2007 (information relating to births and deaths etc) is amended as follows.
- (2) For subsection (4) substitute—
  - “(4) The Board may disclose to a person mentioned in subsection (4A) any information referred to in subsection (2)(a) to (c) which is received by the Board under this section, or any information which is produced by the Board by analysing any such information, if—
    - (a) the information consists of statistics and is disclosed for the purpose of assisting the person in the performance of functions exercisable by it in relation to the health service, or
    - (b) the information is disclosed for the purpose of assisting the person to produce or to analyse statistics for the purpose of assisting the person, or any other person mentioned in subsection (4A), in the performance of functions exercisable by it in relation to the health service.
- (4A) Those persons are—
  - (a) the Secretary of State,
  - (b) the Welsh Ministers,
  - (c) the National Health Service Commissioning Board,
  - (d) a clinical commissioning group,
  - (e) a local authority,
  - (f) a Local Health Board,
  - (g) an NHS trust established under section 18 of the National Health Service (Wales) Act 2006,
  - (h) the National Institute for Health and Care Excellence,
  - (i) the Health and Social Care Information Centre,

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*Status: This is the original version (as it was originally enacted).*

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- (j) a Special Health Authority,
- (k) the Care Quality Commission, and
- (l) such other persons as the appropriate authority may specify in a direction given for the purposes of this section.

(4B) For the purposes of subsection (4A)(l), the appropriate authority is—

- (a) in relation to a direction to be given for purposes relating only to Wales, the Welsh Ministers, and
- (b) in any other case, the Secretary of State.”

(3) After subsection (5) insert—

“(5A) A direction under subsection (4A)(l) must be given by an instrument in writing.

(5B) Sections 272(7) and 273(1) of the National Health Service Act 2006 apply in relation to the power of the Secretary of State to give a direction under subsection (4A)(l) as they apply in relation to powers to give a direction under that Act.

(5C) Sections 203(9) and 204(1) of the National Health Service (Wales) Act 2006 apply in relation to the power of the Welsh Ministers to give a direction under subsection (4A)(l) as they apply in relation to powers to give a direction under that Act.”

(4) After subsection (6) insert—

“(7) In subsection (4A)—

“clinical commissioning group” and “Special Health Authority” have the same meaning as in the National Health Service Act 2006;

“local authority” has the same meaning as in section 2B of that Act of 2006.”