



2009 CHAPTER 1

Public-private partnerships

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22.—(1) A body to which this section applies may form, or participate in forming, companies to provide facilities or services for—

- (a) HSC trusts; or
- (b) any other persons or bodies exercising functions, or otherwise providing services, under any statutory provision relating to the promotion or provision of health and social care.

(2) A body to which this section applies may, with a view to securing or facilitating the provision by companies of facilities or services for persons or bodies falling within subsection (1)(a) or (b)—

- (a) invest in the companies (whether by acquiring assets, securities or rights or otherwise), or
- (b) provide loans and guarantees and make other kinds of financial provision to or in respect of them,

or both.

(3) For the purposes of subsections (1) and (2) it is immaterial that the facilities or services provided or to be provided by the companies in question are not provided or to be provided—

- (a) only to persons or bodies falling within subsection (1)(a) or (b); or
- (b) to persons or bodies falling within subsection (1)(b) only in their capacities as persons or bodies such as are mentioned in that provision.

(4) This section applies to—

- (a) the Department; and
 - (b) a health and social care body, other than RQIA or the Patient and Client Council.
- (5) In this section—
- “companies” means companies within the meaning of the Companies Act 2006 (c. 46);
 - “facilities” includes the provision of (or of the use of) premises, goods, materials, vehicles, plant or apparatus.
- (6) This section does not affect any powers of any body to which this section applies that are exercisable apart from this section.