



# Health Service Commissioners Act 1993

## 1993 CHAPTER 46

### *Health service bodies subject to investigation*

#### **2 The bodies subject to investigation. E+W+S**

- (1) The bodies subject to investigation by [<sup>F1</sup>the Commissioner] are—
- <sup>F2</sup>(a) .....
  - (c) Special Health Authorities to which this section applies [<sup>F3</sup>not exercising functions only or mainly in Wales],
  - (d) National Health Service trusts managing a hospital, or other establishment or facility, in England,
  - <sup>F4</sup>(da) .....
  - <sup>F5</sup>(db) NHS foundation trusts,]
  - <sup>F6</sup>(dc) [<sup>F7</sup>NHS England],
  - <sup>F8</sup>(dd) integrated care boards,]]
  - (e) .....
  - <sup>F9</sup>(f) .....
  - <sup>F10</sup>(g) .....
- <sup>F11</sup>(2) .....
- <sup>F12</sup>(3) .....
- (4) References in this Act to a “health service body” are to any of the bodies mentioned above.
- (5) The Special Health Authorities to which this section applies are those—
- (a) established on or before 1st April 1974, or
  - (b) established after that date and designated by Order in Council as ones to which this section applies.
- <sup>F13</sup>(6) A designation made for the purposes of subsection (5)(b) shall be made by Order in Council; and a statutory instrument containing an Order in Council made by virtue

*Changes to legislation: Health Service Commissioners Act 1993, Cross Heading: Health service bodies subject to investigation is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

of this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** Words in s. 2(1) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 6 para. 31\(2\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F2** S. 2(1)(a) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 68\(a\)](#); S.I. 2013/160, art. 2(2) (with arts. 6-9)
- F3** Words in s. 2(1)(c) substituted (1.4.2004 for W., 1.4.2006 for E.) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 11 para. 61\(a\)](#); S.I. 2004/480, art. 4(2)(aa) (with art. 6) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2005/2925, art. 10(2) (j)
- F4** S. 2(1)(da) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 68\(b\)](#); S.I. 2013/160, art. 2(2) (with arts. 6-9)
- F5** S. 2(1)(db) inserted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 4 para. 94](#); S.I. 2004/759, art. 2
- F6** S. 2(1)(dc)(dd) inserted (1.10.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 5 para. 68\(c\)](#); S.I. 2012/1831, art. 2(2)
- F7** Words in s. 2 substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F8** S. 2(1)(dd) substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 4 para. 39](#); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30, 31)
- F9** S. 2(1)(f) repealed (27.10.2006) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), [Sch. 14 Pt. 4](#); S.I. 2006/2817, art. 2(b)
- F10** S. 2(1)(g) and preceding word repealed (1.4.2005) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), s. 199(1)(4), Sch. 13 para. 7, [Sch. 14 Pt. 7](#); S.I. 2005/457, art. 2(a)(b)
- F11** S. 2(2) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, Sch. 6 para. 31(3), [Sch. 7](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F12** S. 2(3) omitted (14.7.2004) by virtue of [The Scottish Public Services Ombudsman Act 2002 \(Consequential Provisions and Modifications\) Order 2004 \(S.I. 2004/1823\)](#), arts. 1, [17\(3\)](#)
- F13** S. 2(6) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 6 para. 31\(4\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)

#### Modifications etc. (not altering text)

- C1** S. 2(1) applied (17.1.2013) by [The Health Service Commissioner for England \(Special Health Authorities\) Order 2012 \(S.I. 2012/3072\)](#), arts. 1, 2

**Changes to legislation:**

Health Service Commissioners Act 1993, Cross Heading: Health service bodies subject to investigation is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1F) inserted by [2006 c. 44 s. 15\(2\)](#)
- s. 7(2)(d) and word inserted by [2006 c. 44 s. 15\(4\)\(b\)](#)
- s. 14(2G)(2H) inserted by [2006 c. 44 s. 15\(7\)](#)
- s. 14(2G)(c) word inserted by [2012 c. 7 Sch. 5 para. 70\(6\)\(a\)](#)
- s. 14(2G)(e) and word omitted by [2012 c. 7 Sch. 5 para. 70\(6\)\(b\)](#)