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## SCHEDULES

### SCHEDULE 7 **E+W**

#### CONSTITUTION OF PUBLIC BENEFIT CORPORATIONS

##### *Annual reports and forward plans*

- 26 (1) A public benefit corporation must prepare annual reports and send them to [<sup>F1</sup>NHS England].
- [<sup>F2</sup>(1A) The reports must, in particular, review the extent to which the public benefit corporation has exercised its functions in accordance with the plans published under—
- (a) section 14Z52 (joint forward plans for integrated care board and its partners), and
  - (b) section 14Z56 (joint capital resource use plan for integrated care board and its partners).]
- [<sup>F3</sup>(1B) The reports must, in particular, review the extent to which the public benefit corporation has exercised its functions consistently with NHS England's views set out in the latest statement published under section 13SA(1) (views about how functions relating to inequalities information should be exercised).]
- (2) The reports must give—
- (a) information on any steps taken by the corporation to secure that (taken as a whole) the actual membership of any public constituency and (if there is one) of the patients' constituency is representative of those eligible for such membership,
  - [<sup>F4</sup>(aa) information on any occasions in the period to which the report relates on which the council of governors exercised its power under paragraph 10C,]
  - [<sup>F5</sup>(ab) information on the corporation's policy on pay and on the work of the committee established under paragraph 18(2) and such other procedures as the corporation has on pay,
  - (ac) information on the remuneration of the directors and on the expenses of the governors and the directors,]
  - (b) any other information [<sup>F6</sup>NHS England] requires.
- [<sup>F7</sup>(2A) Before imposing a requirement under sub-paragraph (2)(b) that [<sup>F8</sup>NHS England] considers is sufficiently significant to justify consultation, [<sup>F8</sup>NHS England] must consult such persons as it considers appropriate.]
- (3) It is for [<sup>F9</sup>NHS England] to decide—
- (a) the form of the reports,
  - (b) when the reports must be sent to it,
  - (c) the periods to which the reports are to relate.

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### Textual Amendments

- F1** Words in Sch. 7 para. 26(1) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 31(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F2** Sch. 7 para. 26(1A) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 137**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F3** Sch. 7 para. 26(1B) inserted (1.7.2022) by Health and Care Act 2022 (c. 31), **ss. 11(4)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** Sch. 7 para. 26(2)(aa) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), **ss. 151(8)**, 306(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** Sch. 7 para. 26(2)(ab)(ac) inserted (27.3.2012 for specified purposes, 1.11.2012 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 156(1)**, 306(1)(d)(4); S.I. 2012/2657, art. 2(2)
- F6** Words in Sch. 7 para. 26(2) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 31(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F7** Sch. 7 para. 26(2A) inserted (27.3.2012 for specified purposes, 1.11.2012 in so far as not already in force) by Health and Social Care Act 2012 (c. 7), **ss. 156(2)**, 306(1)(d)(4); S.I. 2012/2657, art. 2(2)
- F8** Words in Sch. 7 para. 26(2A) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 31(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F9** Words in Sch. 7 para. 26(3) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 31(4)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)

### Modifications etc. (not altering text)

- C1** Sch. 7 para. 26(2): power to amend conferred (27.3.2012 for specified purposes) by Health and Social Care Act 2012 (c. 7), **ss. 156(3)(a)**, 306(1)(d)(4)
- C2** Sch. 7 para. 26(2A): power to repeal conferred (27.3.2012 for specified purposes) by Health and Social Care Act 2012 (c. 7), **ss. 156(3)(b)**, 306(1)(d)(4)

- 27 (1) A public benefit corporation must give information to [<sup>F10</sup>NHS England] as to its forward planning in respect of each financial year.

<sup>F11</sup>(2) .....

<sup>F12</sup>(3) .....

### Textual Amendments

- F10** Words in Sch. 7 para. 27(1) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 5 para. 31(5)**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F11** Sch. 7 para. 27(2) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), **ss. 63(1)(b)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 17, 29)
- F12** Sch. 7 para. 27(3) omitted (1.7.2022) by virtue of Health and Care Act 2022 (c. 31), **ss. 63(1)(b)**, 186(6); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 17, 29)

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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. 3B(1)(aa) inserted by [2022 c. 31 Sch. 3 para. 2\(b\)](#)
- s. 3B(1)(za) inserted by [2022 c. 31 Sch. 3 para. 2\(a\)](#)
- s. 13G(4) words omitted by virtue of 2012 c. 7, Sch. 14 para. 4A (as inserted) by [2014 c. 23 s. 120\(18\)\(a\)](#)
- s. 35(3A)(3B) inserted by [2012 c. 7 s. 159\(4\)](#)
- s. 35(3A) words substituted by [2022 c. 31 Sch. 5 para. 12\(4\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 35(3A) by 2012 c. 7 s.159(4) not yet in force.)
- s. 40(4)-(4B) substituted for s. 40(4) by [2012 c. 7 Sch. 14 para. 5](#)
- s. 42(1A) inserted by [2012 c. 7 Sch. 14 para. 6](#)
- s. 65F(2A)-(2F) inserted by [2012 c. 7 Sch. 14 para. 15\(4\)](#) (This amendment is itself amended before it comes into force by 2014 c. 23, ss. 85(15), 120(18)(b)(c), 127(1); S.I. 2014/1714, art. 3(2)(b)(c))
- s. 65H(10A) inserted by [2012 c. 7 Sch. 14 para. 17\(4\)](#)
- s. 65H(10A) omitted by [2022 c. 31 Sch. 8 para. 7\(7\)](#) (This amendment not applied to legislation.gov.uk. 2012 c. 7 Sch. 14 revoked at 1.7.2022 by 2022 c. 31, s. 186(6), Sch. 7 para. 13 before the insertion of s. 65H(10A) could come into effect.)
- s. 82A-83A and cross-heading substituted for s. 83 and cross-heading by [2022 c. 31 Sch. 3 para. 3](#)
- s. 84(4)-(4B) substituted for s. 84(4) by [2022 c. 31 Sch. 3 para. 4\(4\)](#)
- s. 92(5A) inserted by [2022 c. 31 Sch. 3 para. 9\(4\)](#)
- s. 94(3)(ca)(cb) substituted for s. 94(3)(ca) by [2022 c. 31 Sch. 3 para. 11\(3\)](#)
- s. 98A98B substituted for s. 98A by [2022 c. 31 Sch. 3 para. 14](#)
- s. 98BC-99B and cross-heading substituted for s. 99 and cross-heading by [2022 c. 31 Sch. 3 para. 15](#)
- s. 100(3A)(3B) inserted by [2022 c. 31 Sch. 3 para. 16\(4\)](#)
- s. 109(3)(ca)(cb) substituted for s. 109(3)(ca) by [2022 c. 31 Sch. 3 para. 23\(3\)](#)
- s. 112(1)(za) inserted by [2022 c. 31 Sch. 3 para. 24\(2\)\(b\)](#)
- s. 114A114B substituted for s. 114A by [2022 c. 31 Sch. 3 para. 26](#)
- s. 114C and cross-heading inserted by [2022 c. 31 Sch. 3 para. 27](#)
- s. 116A116B and cross-heading inserted by [2022 c. 31 Sch. 3 para. 30](#)
- s. 117(4)(4A) substituted for s. 117(4) by [2022 c. 31 Sch. 3 para. 31\(4\)](#)
- s. 125A125B substituted for s. 125A by [2022 c. 31 Sch. 3 para. 39](#)
- s. 223C(1)(c)(d) inserted by [2022 c. 31 s. 28](#)
- s. 223LA inserted by [2022 c. 31 s. 30\(3\)](#)
- Sch. 15 para. 4(1)(b) and word omitted by [2012 c. 7 Sch. 14 para. 39\(3\)](#)