



National Health Service Act 2006

2006 CHAPTER 41

PART 1

PROMOTION AND PROVISION OF THE HEALTH SERVICE IN ENGLAND

[^{F1}Direct payments for health care

[^{F1}12A Direct payments for health care

(1) The Secretary of State [^{F2}, the Board, a clinical commissioning group or a local authority] may, for the purpose of securing the provision to a patient of anything to which this subsection applies, make payments, with the patient's consent, to the patient or to a person nominated by the patient.

(2) Subsection (1) applies to—

[^{F3}(a) anything that the Secretary of State or a local authority has a duty or power to provide or arrange under section 2A or 2B or Schedule 1;]

[anything that the Board or a clinical commissioning group may or must
^{F4}(aa) arrange for the provision of under this Act or any other enactment.]

^{F5}(b)

^{F5}(c)

(3) Subsection (1) is subject to any provision made by regulations under section 12B.

(4) If regulations so provide, [^{F6}a clinical commissioning group] may, for the purpose of securing the provision for a patient of services that [^{F7}the group] must provide under section 117 of the Mental Health Act 1983 (after-care), make payments, with the patient's consent, to the patient or to a person nominated by the patient [^{F8}, and the references in this subsection to a clinical commissioning group are, so far as necessary for the purposes of regulations under subsection (2E) of that section, to be read as references to the Board.]

(5) A payment under subsection (1) ^{F9}... is referred to in this Part as a “direct payment”.

^{F10}(6)

Status: Point in time view as at 01/08/2013. This version of this provision has been superseded.

Changes to legislation: National Health Service Act 2006, Section 12A is up to date with all changes known to be in force on or before 02 August 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)

[In this section and sections 12B to 12D, “local authority” has the same meaning as ^{F11}(7) in section 2B.]]

Textual Amendments

- F1** Ss. 12A-12D and cross-heading inserted (19.1.2010) by [Health Act 2009 \(c. 21\)](#), **ss. 11**, 40(1); S.I. 2010/30, **art. 2(b)**
- F2** Words in s. 12A(1) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(2)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F3** S. 12A(2)(a) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(3)(a)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F4** S. 12A(2)(aa) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(3)(b)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F5** S. 12A(2)(b)(c) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(3)(c)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F6** Words in s. 12A(4) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(4)(a)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F7** Words in s. 12A(4) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(4)(b)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F8** Words in s. 12A(4) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(4)(c)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F9** Words in s. 12A(5) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(5)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)
- F10** S. 12A(6) repealed (E.) (1.8.2013) by [The National Health Service \(Direct Payments\) \(Repeal of Pilot Schemes Limitation\) Order 2013 \(S.I. 2013/1563\)](#), arts. 1, **2**
- F11** S. 12A(7) inserted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 4 para. 10(6)**; S.I. 2013/160, **art. 2(2)** (with arts. 7-9)

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