



National Health Service Act 2006

2006 CHAPTER 41

PART 1

PROMOTION AND PROVISION OF THE HEALTH SERVICE IN ENGLAND

[^{F1}Arrangements for the provision of certain health services]

3 [^{F1}Duties of clinical commissioning groups as to commissioning certain health services]

- (1) [^{F2}A clinical commissioning group must arrange for the provision of the following to such extent as it considers necessary to meet the reasonable requirements of the persons for whom it has responsibility] —
- (a) hospital accommodation,
 - (b) other accommodation for the purpose of any service provided under this Act,
 - (c) medical, dental, ophthalmic, nursing and ambulance services,
 - (d) such other services or facilities for the care of pregnant women, women who are breastfeeding and young children [^{F3}as the group considers] are appropriate as part of the health service,
 - (e) such other services or facilities for the prevention of illness, the care of persons suffering from illness and the after-care of persons who have suffered from illness [^{F3}as the group considers] are appropriate as part of the health service,
 - (f) such other services or facilities as are required for the diagnosis and treatment of illness.

[^{F4}(1A) For the purposes of this section, a clinical commissioning group has responsibility for—

- (a) persons who are provided with primary medical services by a member of the group, and
- (b) persons who usually reside in the group's area and are not provided with primary medical services by a member of any clinical commissioning group.

Status: Point in time view as at 01/04/2013. This version of this provision has been superseded.

Changes to legislation: National Health Service Act 2006, Section 3 is up to date with all changes known to be in force on or before 07 June 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)

- (1B) Regulations may provide that for the purposes of this section a clinical commissioning group also has responsibility (whether generally or in relation to a prescribed service or facility) for persons who—
- (a) were provided with primary medical services by a person who is or was a member of the group, or
 - (b) have a prescribed connection with the group's area.
- (1C) The power conferred by subsection (1B)(b) must be exercised so as to provide that, in relation to the provision of services or facilities for emergency care, a clinical commissioning group has responsibility for every person present in its area.
- (1D) Regulations may provide that subsection (1A) does not apply—
- (a) in relation to persons of a prescribed description (which may include a description framed by reference to the primary medical services with which the persons are provided);
 - (b) in prescribed circumstances.
- (1E) The duty in subsection (1) does not apply in relation to a service or facility if the Board has a duty to arrange for its provision.]
- [^{F5}(1F) In exercising its functions under this section and section 3A, a clinical commissioning group must act consistently with—
- (a) the discharge by the Secretary of State and the Board of their duty under section 1(1) (duty to promote a comprehensive health service), and
 - (b) the objectives and requirements for the time being specified in the mandate published under section 13A.]
- ^{F6}(2)
- ^{F6}(3)

Textual Amendments

- F1** S. 3 heading substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(6)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words in s. 3(1) substituted (1.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(2)(a)**, 306(4); S.I. 2012/2657, art. 2(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** Words in s. 3(1)(d)(e) substituted (1.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(2)(b)**, 306(4); S.I. 2012/2657, art. 2(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F4** S. 3(1A)-(1E) inserted (27.3.2012 for specified purposes, 1.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(3)**, 306(1)(d)(4); S.I. 2012/2657, art. 2(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** S. 3(1F) inserted (27.3.2012 for specified purposes, 1.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(4)**, 306(1)(d)(4); S.I. 2012/2657, art. 2(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** S. 3(2)(3) omitted (27.3.2012 for specified purposes, 1.2.2013 for specified purposes, 1.4.2013 in so far as not already in force) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 13(5)**, 306(1)(d)(4); S.I. 2012/2657, art. 2(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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Modifications etc. (not altering text)

- C1** S. 3(1A) excluded (1.4.2013) by [The National Health Service \(Clinical Commissioning Groups Disapplication of Responsibility\) Regulations 2013 \(S.I. 2013/350\)](#), regs. 1(1), **2(1)(a)**

Status:

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