



# Health Act 2009

## 2009 CHAPTER 21

### PART 1

#### QUALITY AND DELIVERY OF NHS SERVICES IN ENGLAND

### CHAPTER 2

#### QUALITY ACCOUNTS

#### **9 Supplementary provision about the duty**

- (1) In this section “the provider” means the body or person required to publish a document under section 8.
- (2) For the purposes of that section a reporting period is—
  - (a) the period of 12 months beginning with 1 April 2009, and
  - (b) each subsequent period of 12 months.
- (3) If the Care Quality Commission or a Strategic Health Authority notifies the provider of an error or omission in a document published under that section, the provider must within 21 days of the notification republish the document correcting the error or omission and including a statement explaining the correction.
- (4) A copy of any document published under that section must be sent by the provider to the Secretary of State in any form specified by the Secretary of State for the purpose of enabling the Secretary of State to make the document available to the public.
- (5) Regulations under subsection (1) or (3) of section 8 may in particular make provision—
  - (a) as to the form of a document published under that section and its contents in addition to the prescribed information;
  - (b) imposing duties on the provider for the purpose of ensuring the accuracy of information;

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*Status: Point in time view as at 01/04/2010. This version of this provision has been superseded.*

*Changes to legislation: Health Act 2009, Section 9 is up to date with all changes known to be in force on or before 25 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)*

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- (c) as to how and when a document must be published and when a copy must be sent under subsection (4);
  - (d) requiring the provider to have regard to guidance issued by the Secretary of State.
- (6) The provider must at the request of any person provide to that person a copy of any document published by the provider under section 8 relating to a reporting period ending not more than 2 years before the request.
- (7) While subsection (1) or (3) of section 8 applies to the provider, the provider must keep affixed, in a conspicuous place at each of the premises at which the provider provides services to which that subsection applies, a notice stating how the most recent document published by the provider under that section may be obtained.
- (8) Subsection (7) does not apply if—
- (a) the provider does not have control of the premises, or
  - (b) the services are provided by means such that the persons receiving them do not do so at the premises.
- (9) In subsection (7) “premises” includes a vehicle or moveable structure.

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**Commencement Information**

- I1** S. 9 partly in force; s. 9(5) in force for specified purposes at Royal Assent see s. 40(6)(a)
- I2** S. 9 in force at 1.4.2010 in so far as not already in force by [S.I. 2010/30](#), [art. 4](#)

**Status:**

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