

Status: Point in time view as at 01/08/2012. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Health and Social Care Act 2012, SCHEDULE 13 is up to date with all changes known to be in force on or before 22 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)

SCHEDULES

SCHEDULE 13

Section 150

PART 3: MINOR AND CONSEQUENTIAL AMENDMENTS

General

- 1 (1) Any reference in an instrument or document to the Independent Regulator of NHS Foundation Trusts is to be read, in relation to any time after the commencement of section 61, as a reference to Monitor.
- (2) Any reference in this Act or in any other enactment, instrument or document to Monitor is to be read, in relation to any time before that commencement, as a reference to the Independent Regulator of NHS Foundation Trusts.

Commencement Information

I1 Sch. 13 para. 1 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

Public Bodies (Admission to Meetings) Act 1960 (c. 67)

- 2 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960, after paragraph (bj) insert—
“(bk) Monitor;”.

Commencement Information

I2 Sch. 13 para. 2 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

Parliamentary Commissioner Act 1967 (c. 13)

- 3 (1) In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation)—
 - (a) at the appropriate place insert— “ Monitor. ”, and
 - (b) omit the entry for the Independent Regulator of NHS Foundation Trusts.
- (2) In consequence of the repeal made by sub-paragraph (1)(b), omit paragraph 17 of Schedule 2 to the Health and Social Care (Community Health and Standards) Act 2003 (which inserted the entry in question).

Commencement Information

I3 Sch. 13 para. 3 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

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Superannuation Act 1972 (c. 11)

- 4 (1) In Schedule 1 to the Superannuation Act 1972 (kinds of employment to which a scheme under section 1 of that Act can apply), omit the entry for the Independent Regulator of NHS Foundation Trusts.
- (2) In consequence of that repeal, omit paragraph 5(3) of Schedule 2 to the Health and Social Care (Community Health and Standards) 2003 (which inserted the entry in question).

Commencement Information

I4 Sch. 13 para. 4 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

House of Commons Disqualification Act 1975 (c. 24)

- 5 (1) In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (other disqualifying offices)—
- (a) at the appropriate place insert— “ Chair or other member of Monitor. ”, and
- (b) omit the entry for the Chairman and other members of the Independent Regulator of NHS Foundation Trusts.
- (2) In consequence of the repeal made by sub-paragraph (1)(b), omit paragraph 18 of Schedule 2 to the Health and Social Care (Community Health and Standards) Act 2003 (which inserted the entry in question).

Commencement Information

I5 Sch. 13 para. 5 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 6 (1) In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (other disqualifying offices)—
- (a) at the appropriate place insert— “ Chair or other member of Monitor. ”, and
- (b) omit the entry for the Chairman and other members of the Independent Regulator of NHS Foundation Trusts.
- (2) In consequence of the repeal made by sub-paragraph (1)(b), omit paragraph 19 of Schedule 2 to the Health and Social Care (Community Health and Standards) Act 2003 (which inserted the entry in question).

Commencement Information

I6 Sch. 13 para. 6 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

Freedom of Information Act 2000 (c. 36)

- 7 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general)—
- (a) at the appropriate place insert— “ Monitor. ”, and

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- (b) omit the entry for the Independent Regulator of NHS Foundation Trusts.

Commencement Information

I7 Sch. 13 para. 7 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(a)

National Health Service Act 2006 (c. 41)

- 8 The National Health Service Act 2006 is amended as follows.

Commencement Information

I8 Sch. 13 para. 8 in force at 1.7.2012 for specified purposes by S.I. 2012/1319, art. 2(3)(d)

- 9 (1) Omit section 31 and Schedule 8 (continuation and constitution of the Independent Regulator of NHS Foundation Trusts).
- (2) In consequence of that repeal, omit paragraph 12 of Schedule 3 to the Health Act 2009 (which amended Schedule 8).

Commencement Information

I9 Sch. 13 para. 9(1) in force at 1.7.2012 for specified purposes by S.I. 2012/1319, art. 2(3)(b)

VALID FROM 01/11/2012

- 10 (1) Omit section 32 (general duty of regulator).
- (2) Despite that repeal, that section is to continue, pending the commencement of section 179 (abolition of NHS trusts in England) to have effect so far as necessary for the purposes of sections 33 to 36 of that Act.

- 11 In section 275(1) (general interpretation), at the appropriate place, insert—
- ““the regulator” means Monitor.”.

Commencement Information

I10 Sch. 13 para. 11 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(c)

- 12 In section 276 (index of defined expressions), in the entry for “the regulator”, for “section 31(1)” substitute “section 275(1)”.

Commencement Information

I11 Sch. 13 para. 12 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(c)

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National Health Service (Wales) Act 2006 (c. 42)

- 13 In section 184(2)(b) of the National Health Service (Wales) Act 2006 (matters to be contained in reports by overview and scrutiny committee of local authority), for “the Independent Regulator of NHS Foundation Trusts” substitute “Monitor”.

Commencement Information

I12 Sch. 13 para. 13 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(c)

VALID FROM 01/04/2013

Health and Social Care Act 2008 (c. 14)

- 14 The Health and Social Care Act 2008 is amended as follows.
- 15 In section 30(3) (urgent applications for cancellation of registration of service provider: notice requirements), for paragraph (c) substitute—
- “(c) where the person registered as a service provider is a person who holds a licence under Chapter 3 of Part 3 of the Health and Social Care Act 2012, to Monitor.”.
- 16 In section 39(1) (notice requirements in relation to certain matters), for paragraph (c) substitute—
- “(c) where the person registered as a service provider in respect of the activity is a person who holds a licence under Chapter 3 of Part 3 of the Health and Social Care Act 2012, to Monitor.”.
- 17 In section 59 (power for Secretary of State to confer additional functions on Care Quality Commission), for subsection (2) substitute—
- “(2) The Secretary of State must consult Monitor before making provision under subsection (1) in relation to persons who hold licences under Chapter 3 of Part 3 of the Health and Social Care Act 2012.”

Health Act 2009 (c. 21)

- 18 In section 2(2) of the Health Act 2009 (bodies required to have regard to NHS Constitution), for paragraph (f) substitute—
- “(f) Monitor;”.

Commencement Information

I13 Sch. 13 para. 18 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(e)

Equality Act 2010 (c.15)

- 19 In Part 1 of Schedule 19 to the Equality Act 2010 (bodies subject to public sector equality duty), for the entry for the Independent Regulator of NHS Foundation Trusts substitute “Monitor”.

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I14 Sch. 13 para. 19 in force at 1.7.2012 by S.I. 2012/1319, art. 2(3)(e)

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