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STATUTORY INSTRUMENTS

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**2012 No. 3094**

**The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012**

**PART 2**

**CARE TRUSTS AND MISCELLANEOUS AMENDMENTS**

**Prescribed functions for the purposes of section 77(1) of the 2006 Act**

**3.—**(1) Subject to paragraphs (3) and (4), the health-related functions of local authorities specified in regulation 6 of the Partnership Regulations<sup>(1)</sup> are prescribed for the purposes of section 77(1) of the 2006 Act<sup>(2)</sup> (designation of a body as a Care Trust).

(2) The NHS functions specified in regulation 5 of the Partnership Regulations<sup>(3)</sup> are prescribed for the purposes of section 77(1) of the 2006 Act.

(3) Where the body exercising a health-related function is, or is to be, a clinical commissioning group and the function consists of providing or securing the provision of services, that function is prescribed for the purposes of section 77(1) only if it is to be exercised by that clinical commissioning group securing the provision of those services.

(4) Where the body exercising a health-related function is, or is to be, an NHS trust or NHS foundation trust and the function consists of providing or securing the provision of services, that function is prescribed for the purposes of section 77(1) only if it is to be exercised (whether wholly or in part) by that trust providing those services.

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(1) Regulation 6 was amended by [S.I. 2003/629](#), [2005/3504](#), [2010/1172](#) and by regulation 12 of these Regulations.

(2) Section 77(1) was amended by section 200(1) of the 2012 Act.

(3) Regulation 5 was amended by [S.I. 2009/278](#), [2010/1000](#) and by regulation 12 of these Regulations.