
STATUTORY INSTRUMENTS

2013 No. 594

**The Health and Social Care Act 2012
(Consequential Amendments) Order 2013**

Amendments of the Audit Commission Act 1998

4.—(1) The Audit Commission Act 1998⁽¹⁾ is amended as follows.

(2) In section 5(1)(a) (general duties of auditors)⁽²⁾, after “National Health Service Act 2006” insert “or, in the case of a clinical commissioning group, in accordance with directions under paragraph 17(4) of Schedule 1A to that Act”.

(3) In section 10(2) (transmission and consideration of section 8 reports)⁽³⁾, for “health service body to the Secretary of State” substitute “health service body other than a clinical commissioning group) to the Secretary or State and (in the case of a clinical commissioning group) to the Secretary of State and the National Health Service Commissioning Board”.

(4) In section 19 (health service bodies: referral to Secretary of State) after “Secretary of State” insert “and (in the case of a clinical commissioning group) to the National Health Service Commissioning Board”.

(5) In section 33 (studies for improving economy etc in services)⁽⁴⁾—

(a) in subsection (3)—

(i) omit the “and” following paragraph (a),

(ii) after paragraph (b) insert

“, and

(c) if the body is a clinical commissioning group, any guidance given by the National Health Service Commissioning Board;”, and

(iii) after “objectives of the Secretary of State” insert “or the National Health Service Commissioning Board”,

(b) in subsection (6)(c), after “consult” insert “the National Health Service Commissioning Board;”, and

(c) in subsection (8), after “Those bodies are—” insert—

“(za) any clinical commissioning group;”.

(1) 1998 c. 18.

(2) Section 5(1)(a) is amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 281 and 295.

(3) Section 10(2) is amended by the Greater London Authority Act 1998 (c.29), Schedule 8, paragraphs 1 and 2.

(4) Section 33(6)(c) is amended by the Local Government and Public Involvement in Health Act 2007 (c. 28), section 153(1), (2) (b), Schedule 18, and the Health and Social Care Act 2008 (c. 14), Schedule 5, paragraph 66(1), (2). Section 33(8) is inserted by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 9, paragraph 12(1), (6), and amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 186, and 187, and the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraph 81 and Schedule 14, paragraphs 71 and 72.

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(6) In section 49(1)(c) (restriction on disclosure of information)(5), after “Secretary of State” insert “, the National Health Service Commissioning Board”.

(7) In section 53(1) (interpretation), in the definition of “health service body”(6), after “means” insert “a clinical commissioning group or”.

(8) In Schedule 2 (accounts subject to audit), for paragraph 1A(7) substitute—
“1A Section 2 also applies to—

- (a) annual accounts of health service bodies prepared under paragraph 3(1) of Schedule 15 to the National Health Service Act 2006;
- (b) annual accounts of clinical commissioning groups prepared under paragraph 17(2) of Schedule 1A to that Act; and
- (c) accounts of such groups prepared under paragraph 17(3) of that Schedule in respect of which a direction has been given under paragraph 17(5) of that Schedule.”

(5) Section 49(1)(c) is amended by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 9, paragraph 12(1), (10)(b), the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 186 and 188, and the Health and Social Care Act 2008 (c. 14), Schedule 5, paragraph 68(1), (4) and Schedule 15.

(6) The definition of “health service body” is substituted by the Health Act 2006 (c. 28), Schedule 8, paragraphs 39 and 41, and amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 281 and 296, S.I. 2008/817, article 4, and the Health and Social Care Act 2012 (c. 7), Schedule 14, paragraphs 71 and 73.

(7) Paragraph 1A is inserted by S.I. 2003/1324, Schedule 2, paragraph 2, substituted by the Health Act 2006 (c. 28), Schedule 8, paragraphs 39 and 42(1), (3), and amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 281 and 297.