
STATUTORY INSTRUMENTS

2018 No. 756

The National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018

PART 1

General

Interpretation

2. In these Regulations—

“the 1999 Regulations” means the National Health Service (Liabilities to Third Parties Scheme) Regulations 1999(1);

“the 2006 Act” means the National Health Service Act 2006;

“the 2012 Act” means the Health and Social Care Act 2012(2);

“the appointed day” means the day on which these Regulations come into force;

“eligible body” means a body specified in regulation 4;

“membership year” means, in relation to an eligible body, any period of 12 months beginning on 1st April during any part of which that body is a member of the Scheme;

“qualifying liability” has the meaning given by regulation 9;

“relevant function” means—

- (a) arranging for the provision of, or providing services for the purposes of, or exercising functions in relation to, the health service continued under section 1(1) of the NHS Act 2006;
- (b) a power exercised by virtue of section 7 of the Health and Medicines Act 1988(3);
- (c) a power exercised under section 13W, 14Z5, 43(3) or 44 of, or paragraphs 19 or 20 of Schedule 4 to, the 2006 Act(4);
- (d) a power exercised under section 243 or 270 of the 2012 Act;
- (e) a function conferred by regulations made under section 240(1)(a) or (b) of the 2012 Act.

Commencement Information

II [Reg. 2](#) in force at 1.8.2018, see [reg. 1\(2\)](#)

(1) [S.I. 1999/873](#).

(2) [2012 c. 7](#).

(3) [1988 c. 49](#). Relevant amendments to section 7 were made by paragraph 116 of Schedule 1 to the National Health Service (Consequential Provisions) Act [2006 \(c. 43\)](#).

(4) Sections 13W and 14Z5 of the National Health Service Act 2006 were inserted by sections 23(1) and 26 (respectively) of the 2012 Act. Health and Social Care Act [2012 \(c. 7\)](#). Section 43(3) was amended by section 164 of the 2012 Act.

Changes to legislation: *The National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018, Section 2 is up to date with all changes known to be in force on or before 06 May 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) View outstanding changes*

Changes to legislation:

The National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018, Section 2 is up to date with all changes known to be in force on or before 06 May 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 4(1)(m) and word inserted by [S.I. 2023/948 reg. 4\(2\)\(b\)](#)
- reg. 5(B1) inserted by [S.I. 2023/948 reg. 4\(3\)](#)