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STATUTORY INSTRUMENTS

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**2018 No. 756**

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

**PART 2**

Miscellaneous

**[<sup>F1</sup>Provision that is consequential on the Health and Care Act 2022: liabilities transferred to integrated care boards and NHS England**

**22.**—(1) A claim for a liability of a CCG that was made and not determined or paid before 1st July 2022 continues as a claim of the relevant integrated care board.

(2) A liability of a CCG that arose and was not claimed before 1st July 2022 may be the subject of a claim on or after that date by the relevant integrated care board.

(3) A claim for a liability of NHS TDA which was made and not determined or paid before 1st July 2022 continues as a claim of NHS England.

(4) A liability of NHS TDA which arose and was not claimed before 1st July 2022 may be the subject of a claim on or after that date by NHS England.

(5) A liability of Monitor which—

(a) arose before 1st July 2022, and

(b) is a liability of the kind which may be claimed by a member under the Scheme,

may be claimed on or after that date by NHS England.

(6) In this Regulation—

“a CCG” means a body corporate which, immediately before 1st July 2022, was established in accordance with Chapter A2 of Part 2 of the 2006 Act;

“claim” means a claim under the Scheme;

“liability” means a liability to which the Scheme applies;

“Monitor” means the body corporate which, immediately before 1st July 2022, was known as Monitor in accordance with section 61 of the Health and Social Care Act 2012;

“NHS TDA” means the Special Health Authority which, immediately before 1st July 2022, was established in accordance with article 2 of the National Health Service Trust Development Authority (Establishment and Constitution) Order 2012;

“relevant integrated care board” means the integrated care board to whom the liability was transferred under section 14Z28 of the 2006 Act.]

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**Changes to legislation:** *The National Health Service (Liabilities to Third Parties Scheme) (England) Regulations 2018, Section 22 is up to date with all changes known to be in force on or before 07 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*

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**Textual Amendments**

- F1** [Reg. 22](#) inserted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), regs. 1(2), **218(3)**

**Changes to legislation:**

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[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\(3\)](#)