
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments which are consequential on the Health and Care Act 2022 (“the 2022 Act”).

Part 2 makes amendments which are consequential on the transition from the National Tariff to the NHS payment scheme, following commencement of section 77 of, and Schedule 10 to, the 2022 Act. The NHS payment scheme, like the National Tariff before it, sets out the prices, and rules for determining prices, payable by NHS commissioners to providers for providing services as part of the health service. Regulation 2 amends the National Health Service (Licensing and Pricing) Regulations 2013 (S.I. 2013/2214) to remove provisions setting out the definition of “relevant providers” and the level of objection percentages relating to consultation on the National Tariff. Regulation 3 amends the National Health Service (Charges to Overseas Visitors) Regulations 2015 (S.I. 2015/238) so that the process for setting charges to overseas visitors for health care does so by reference to the NHS payment scheme, rather than the National Tariff.

Part 3 corrects errors in amendments previously made to the Welsh language versions of two statutory instruments in order to ensure that their text is equivalent to the text in the English language versions of those statutory instruments. The amendments were consequential on the establishment of integrated care boards and the abolition of clinical commissioning groups (see section 19 of the 2022 Act). These Regulations will therefore be issued free of charge to all known recipients of the statutory instrument (the Health and Care Act 2022 (Consequential and Related Amendments and Transitional Provisions) Regulations 2022 (S.I. 2022/634)) containing the errors.

A full impact assessment has been prepared in relation to the 2022 Act. A copy is available at www.gov.uk/government/publications/health-and-care-bill-combined-impact-assessments. A hard copy can be obtained by writing to the Department of Health and Social Care, 39 Victoria Street, London, SW1H 0EU.