Draft Order laid before Parliament under section 304(5) of the Health and Social Care Act 2012, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

NATIONAL HEALTH SERVICE, ENGLAND

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

Made - - - -	*****
Coming into force - -	*1st April 2013*

The Secretary of State makes the following Order in exercise of the powers conferred by section 303 of the Health and Social Care Act 2012(**1**).

A draft of this Order has been laid before and approved by resolution of each House of Parliament in accordance with section 304(5) of that Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the Health and Social Care Act 2012 (Consequential Amendments) Order 2013.

(2) This Order comes into force on 1st April 2013.

(3) Any amendment made by this Order has the same extent as the provision amended.

Amendment of the Vehicle Excise and Registration Act 1994

2. In paragraph 7 of Schedule 2 to the Vehicle Excise and Registration Act 1994(**2**) (vehicles exempt from vehicle excise duty), omit sub-paragraph (d) (together with the "or" following it).

(**1**) 2012 c. 7.

(**2**) 1994 c. 22. Paragraph 7(ba) of Schedule 2 is inserted by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 4, paragraph 96; paragraph 7(d) is inserted by S.I. 2000/90, Schedule 1, paragraph 28, and amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 169, 170. The word "or" following paragraph 7(d) is inserted by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), Schedule 5, paragraph 39.

Amendment of the Education Act 1996

3. In section 403(2) of the Education Act 1996(**3**) (sex education: manner of provision), for "section 28(6) of the National Health Service Act 2006" substitute "the National Health Service Act 2006 (see section 275(1) of that Act)".

Amendments of the Audit Commission Act 1998

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

(2) In section 5(1)(a) (general duties of auditors)(**5**), 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)(**6**), 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)(**7**)—

(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;".

(6) In section 49(1)(c) (restriction on disclosure of information)(**8**), after "Secretary of State" insert ", the National Health Service Commissioning Board".

(**3**) 1996 c. 56. Section 403(2) is amended by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 102, the Learning and Skills Act 2000 (c. 21), section 148(1) and (5), and the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 181 and 183.

(**4**) 1998 c. 18.

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

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

(**7**) 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.

(**8**) 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.