Draft Order laid before Parliament under section 272(6)(zc) of the National Health Service Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2020 No. 0000

NATIONAL HEALTH SERVICE, ENGLAND

The NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) (Amendment) Order 2020

Made - - - -

Coming into force - - 30th October 2020

The Secretary of State in exercise of the powers conferred by sections 28, 28A(4)(a) and (5), and 273(1) of the National Health Service Act 2006(**a**) makes the following Order.

In accordance with section 272(6)(zc) of that Act, a draft of the instrument has been laid before, and approved by resolution of, each House of Parliament.

Citation and commencement

1. This Order may be cited as the NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) (Amendment) Order 2020 and comes into force on 30th October 2020.

Amendment to the NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) Order 2017

2.—(1) The NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) Order 2017(**b**) is amended as follows.

(2) In article 2 (interpretation), in the definition of "the abolition date", for "31st October 2020" substitute "30th October 2023".

Signed by authority of the Secretary of State for Health and Social Care.

Parliamentary Under-Secretary of State,
Department of Health and Social Care

Date

(**a**) 2006 c.41. Section 28 was amended by section 55(1) of, and paragraph 13 of Schedule 4 to, the Health and Social Care Act 2012 (c.7). In relation to the exercise of powers to establish a new special health authority under section 28 of the National Health Service Act 2006, section 28A was inserted by section 48(1) of the 2012 Act and requires provision to be made for the abolition of the special health authority in orders made after the coming into force of said section 48. Section 48 of the 2012 Act was brought into force on 1st April 2013 by SI 2013/160. The powers conferred by these sections are exercisable by the Secretary of State only in relation to England, by virtue of section 271(1) of the 2006 Act.

(**b**) S.I. 2017/958; as amended by S.I. 2018/378.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the NHS Counter Fraud Authority (Establishment, Constitution, and Staff and Other Transfer Provisions) Order 2017 (S.I. 2017/958) ("the 2017 Order") to extend the abolition date of the NHS Counter Fraud Authority by a further three years to 30th October 2023. The amendment is made in accordance with section 28A(4) of the National Health Service Act 2006 in order for this body to continue to carry out counter fraud functions on behalf of the Secretary of State.

Article 2 of this Order amends the definition of "the abolition date" in article 2 of the 2017 Order, so that the date on which the NHS Counter Fraud Authority is to be abolished is changed from 31st October 2020 to 30th October 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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