
Addendum to briefing notes on Government amendments to the Health and Social Care Bill: Lords Report Stage

March 2012

Addendum – amendment tabled March 9

Amendment 302

Clause 302, page 272, line 14, at end insert—

“() An order under subsection (4) which brings paragraph 16 of Schedule 1A to the National Health Service Act 2006 (inserted by Schedule 2) into force may make provision—

(a) for the duty of a clinical commissioning group under sub-paragraph (1) or (2) of that paragraph not to apply in relation to the whole or any part of the initial period (within the meaning of Schedule 6), and

(b) for the duty of the Board under paragraph 16 of Schedule A1 to that Act (inserted by Schedule 1) to have effect subject to such modifications specified in the order as the Secretary of State considers appropriate in consequence of the provision made under paragraph (a).”

Clinical commissioning group accounting responsibilities during the transitional year 2012/13

1. This minor and technical amendment would clarify the Secretary of State’s power to commence the provisions of the Bill relating to clinical commissioning groups (CCGs).
2. The amendment would apply where it was clear that one or more clinical commissioning groups established before 1st April 2013 would not receive any income, nor incur or commit any expenditure directly, during the period between their establishment and 31 March 2013. In that event, the Secretary of State could, when making the order commencing the provisions of the Bill about clinical commissioning groups, dis-apply the accounting and audit requirements for that period. This avoids such CCGs having to create blank accounts for that period, which we do not think is a sensible approach.