



# Health Service Commissioners Act 1993

## 1993 CHAPTER 46

### *[<sup>F1</sup> Persons subject to investigation]*

#### **2B Independent providers subject to investigation.**

- (1) Persons are subject to investigation by [<sup>F1</sup>the Commissioner] if—
- (a) they are [<sup>F2</sup>or were at the time of the action complained of] persons (whether individuals or bodies) providing services in England under arrangements with health service bodies or family health service providers, and
  - (b) they are not [<sup>F3</sup>or were not at the time of the action complained of] themselves health service bodies or family health service providers.

- [<sup>F4</sup>(1A) Persons are subject to investigation by the Commissioner if—
- (a) they are, or were at the time of the action complained of, providing direct payment services, and
  - (b) they are not, or were not at the time of the action complained of, health service bodies.]

<sup>F5</sup>(2) .....

<sup>F5</sup>(2A) .....

<sup>F6</sup>(3) .....

- (4) The services provided under arrangements mentioned in [<sup>F7</sup>subsection (1)(a)] may be services of any kind.

- (5) In this Act references to an independent provider are to any person providing services as mentioned in subsection (1) [<sup>F8</sup>or (1A)].

#### **Textual Amendments**

- F1** Words in s. 2B(1) substituted (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), s. 40, [Sch. 6 para. 33\(2\)](#) (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F2** Words in s. 2B(1)(a) inserted (23.2.2001) by [2000 c. 28](#), [ss. 1\(1\)\(3\)\(a\)](#), 4(2) (with s. 3)
- F3** Words in s. 2B(1)(b) inserted (23.2.2001) by [2000 c. 28](#), [ss. 1\(1\)\(3\)\(b\)](#), 4(2) (with s. 3)

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**Changes to legislation:** Health Service Commissioners Act 1993, Section 2B is up to date with all changes known to be in force on or before 08 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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- F4** S. 2B(1A) inserted (19.1.2010) by Health Act 2009 (c. 21), **ss. 12(2)**, 40(1); S.I. 2010/30, art. 2(b)
- F5** S. 2B(2)(2A) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 6 para. 33(3), **Sch. 7** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F6** S. 2B(3) omitted (14.7.2004) by virtue of The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), arts. 1, **17(5)(a)**
- F7** Words in s. 2B(4) substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 6 para. 33(4)** (with s. 38); S.I. 2005/2800, art. 5(1)(3)
- F8** Words in s. 2B(5) inserted (19.1.2010) by Health Act 2009 (c. 21), **ss. 12(3)**, 40(1); S.I. 2010/30, art. 2(b)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(1F) inserted by [2006 c. 44 s. 15\(2\)](#)
- s. 7(2)(d) and word inserted by [2006 c. 44 s. 15\(4\)\(b\)](#)
- s. 14(2G)(2H) inserted by [2006 c. 44 s. 15\(7\)](#)
- s. 14(2G)(c) word inserted by [2012 c. 7 Sch. 5 para. 70\(6\)\(a\)](#)
- s. 14(2G)(e) and word omitted by [2012 c. 7 Sch. 5 para. 70\(6\)\(b\)](#)