



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 13

#### MISCELLANEOUS

*[<sup>F1</sup>Emergencies: role of the Secretary of State,  
<sup>F9</sup>NHS England] and [<sup>F1</sup>integrated care boards]]*

#### 253 Emergency powers

- (1) The Secretary of State may give directions under this section if he considers that by reason of an emergency [<sup>F1</sup>it is appropriate to do so].

[<sup>F2</sup>(1A) A direction under this section may be given to—

- (a) an NHS body other than a Local Health Board;
- (b) the National Institute for Health and Care Excellence;
- <sup>F3</sup>(c) .....  
[ the Health Services Safety Investigations Body;]
- <sup>F4</sup>(ca) (d) any body or person, other than an NHS body, providing services in pursuance of arrangements made [<sup>F5</sup>by virtue of this Act].]

- (2) [<sup>F6</sup>In relation to a body [<sup>F7</sup>within any paragraph of subsection (1A) other than paragraph (d)], the powers conferred by this section may be exercised—

- (a) to give directions to the body about the exercise of any of its functions;
- (b) to direct the body to cease to exercise any of its functions for a specified period;
- (c) to direct the body to exercise any of its functions concurrently with another body or person for a specified period;
- (d) to direct the body to exercise any function conferred on another body or person under or by virtue of this Act for a specified period (whether to the exclusion of, or concurrently with, that body or person).

**Changes to legislation:** National Health Service Act 2006, Section 253 is up to date with all changes known to be in force on or before 04 April 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

(2A) In relation to a body or person within subsection (1A)(d), the powers conferred by this section may be exercised—

- (a) to give directions to the body or person about the provision of any services that it provides in pursuance of arrangements mentioned in subsection (1A)(d);
- (b) to direct the body or person to cease to provide any of those services for a specified period;
- (c) to direct the body or person to provide other services for the purposes of the health service for a specified period.]

[<sup>F8</sup>(2B) The Secretary of State may direct [<sup>F9</sup>NHS England] to exercise the functions of the Secretary of State under this section.

(2C) The Secretary of State may give directions to [<sup>F9</sup>NHS England] about its exercise of any functions that are the subject of a direction under subsection (2B).

(2D) In this section, “specified” means specified in the direction.]

(3) The powers conferred on the Secretary of State by this section are in addition to any other powers exercisable by him.

<sup>F10</sup>(4) . . . . .

#### Textual Amendments

- F1** Words in s. 253(1) substituted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 47(2)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** S. 253(1A) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 47(3)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F3** S. 253(1A)(c) omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 10(7)(a)** (with reg. 3)
- F4** S. 253(1A)(ca) inserted (1.10.2023) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 15 para. 8(5)(a)**; S.I. 2023/1035, reg. 2(c)
- F5** Words in s. 253(1A)(d) substituted for s. 253(1A)(d)(i)-(iv) (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 9 para. 14**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F6** S. 253(2)(2A) substituted for s. 253(2) (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 47(4)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F7** Words in s. 253(2) substituted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 10(7)(b)** (with reg. 3)
- F8** S. 253(2B)-(2D) inserted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 47(5)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F9** Words in Act substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), **Sch. 1 para. 1(1)(2)**; S.I. 2022/734, reg. 2(a), **Sch.** (with regs. 13, 29, 30)
- F10** S. 253(4) omitted (27.3.2012 for specified purposes, 1.4.2013 in so far as not already in force) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), **ss. 47(6)**, 306(1)(d)(4); S.I. 2013/160, art. 2(2) (with arts. 7-9)

### Changes to legislation:

National Health Service Act 2006, Section 253 is up to date with all changes known to be in force on or before 04 April 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.

View outstanding changes

### Changes and effects yet to be applied to :

- s. 253(2) words substituted by [2022 c. 31 Sch. 15 para. 8\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 15 para. 8(5)(b) omitted (1.2.2023) by virtue of The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), Sch. para. 22 (with reg. 3))

### 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. 3B(1)(aa) inserted by [2022 c. 31 Sch. 3 para. 2\(b\)](#)
- s. 3B(1)(za) inserted by [2022 c. 31 Sch. 3 para. 2\(a\)](#)
- s. 13G(4) words omitted by virtue of 2012 c. 7, Sch. 14 para. 4A (as inserted) by [2014 c. 23 s. 120\(18\)\(a\)](#)
- s. 35(3A)(3B) inserted by [2012 c. 7 s. 159\(4\)](#)
- s. 35(3A) words substituted by [2022 c. 31 Sch. 5 para. 12\(4\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 35(3A) by 2012 c. 7 s.159(4) not yet in force.)
- s. 40(4)-(4B) substituted for s. 40(4) by [2012 c. 7 Sch. 14 para. 5](#)
- s. 42(1A) inserted by [2012 c. 7 Sch. 14 para. 6](#)
- s. 65F(2A)-(2F) inserted by [2012 c. 7 Sch. 14 para. 15\(4\)](#) (This amendment is itself amended before it comes into force by 2014 c. 23, ss. 85(15), 120(18)(b)(c), 127(1); S.I. 2014/1714, art. 3(2)(b)(c))
- s. 65H(10A) inserted by [2012 c. 7 Sch. 14 para. 17\(4\)](#)
- s. 65H(10A) omitted by [2022 c. 31 Sch. 8 para. 7\(7\)](#) (This amendment not applied to legislation.gov.uk. 2012 c. 7 Sch. 14 revoked at 1.7.2022 by 2022 c. 31, s. 186(6), Sch. 7 para. 13 before the insertion of s. 65H(10A) could come into effect.)
- s. 82A-83A and cross-heading substituted for s. 83 and cross-heading by [2022 c. 31 Sch. 3 para. 3](#)
- s. 84(4)-(4B) substituted for s. 84(4) by [2022 c. 31 Sch. 3 para. 4\(4\)](#)
- s. 92(5A) inserted by [2022 c. 31 Sch. 3 para. 9\(4\)](#)
- s. 94(3)(ca)(cb) substituted for s. 94(3)(ca) by [2022 c. 31 Sch. 3 para. 11\(3\)](#)
- s. 98A-98B substituted for s. 98A by [2022 c. 31 Sch. 3 para. 14](#)
- s. 98BC-99B and cross-heading substituted for s. 99 and cross-heading by [2022 c. 31 Sch. 3 para. 15](#)
- s. 100(3A)(3B) inserted by [2022 c. 31 Sch. 3 para. 16\(4\)](#)
- s. 109(3)(ca)(cb) substituted for s. 109(3)(ca) by [2022 c. 31 Sch. 3 para. 23\(3\)](#)
- s. 112(1)(za) inserted by [2022 c. 31 Sch. 3 para. 24\(2\)\(b\)](#)
- s. 114A-114B substituted for s. 114A by [2022 c. 31 Sch. 3 para. 26](#)
- s. 114C and cross-heading inserted by [2022 c. 31 Sch. 3 para. 27](#)
- s. 116A-116B and cross-heading inserted by [2022 c. 31 Sch. 3 para. 30](#)
- s. 117(4)(4A) substituted for s. 117(4) by [2022 c. 31 Sch. 3 para. 31\(4\)](#)
- s. 125A-125B substituted for s. 125A by [2022 c. 31 Sch. 3 para. 39](#)
- s. 223C(1)(c)(d) inserted by [2022 c. 31 s. 28](#)
- s. 223LA inserted by [2022 c. 31 s. 30\(3\)](#)
- Sch. 15 para. 4(1)(b) and word omitted by [2012 c. 7 Sch. 14 para. 39\(3\)](#)