

National Health Service Expenditure Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Require expenditure on mental health services and on health services for veterans and members of the armed forces to be identified separately in National Health Service expenditure plans and outturns; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Requirements about NHS expenditure

- (1) A relevant national authority must, by regulations, make provision requiring expenditure on the matters listed in subsection (2) to be identified separately in National Health Service expenditure plans and outturns for—
 - (a) England, 5
 - (b) Wales,
 - (c) Scotland, and
 - (d) Northern Ireland.
- (2) Those matters are—
 - (a) mental health services, 10
 - (b) health services provided to members of the armed forces, and
 - (c) health services provided to armed forces veterans.
- (3) Each relevant national authority must, before laying regulations under this section, seek to come to agreement with other relevant national authorities on the details of requirements in the regulations in the interests of ensuring the comparability of information across the United Kingdom. 15
- (4) Regulations under this section may make requirements—
 - (a) of National Health Service bodies; and
 - (b) about publication of the expenditure information.
- (5) In this section, “relevant national authority” means—
 - (a) in relation to England, the Secretary of State; 20
 - (b) in relation to Wales, the Welsh Ministers or the Secretary of State;
 - (c) in relation to Scotland, the Scottish Ministers or the Secretary of State;

- (d) in relation to Northern Ireland, the Department of Health in Northern Ireland or the Secretary of State.
- (6) Regulations under this section made by the Secretary of State may not contain provision that could be contained in regulations under this section made by another relevant national authority, unless that authority consents. 5

2 Regulations

- (1) Regulations under this Act made by—
 (a) the Secretary of State, or
 (b) the Welsh Ministers,
 are to be made by statutory instrument. 10
- (2) A power of a Northern Ireland department to make regulations under this Act is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (3) A statutory instrument containing regulations under this Act made by the Secretary of State is subject to annulment in pursuance of a resolution of either House of Parliament. 15
- (4) A statutory instrument containing regulations under this Act made by the Welsh Ministers is subject to annulment in pursuance of a resolution of Senedd Cymru.
- (5) Regulations made under this Act by the Scottish Ministers are subject to the negative procedure in accordance with section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010. 20
- (6) Regulations made under this Act by the Department of Health in Northern Ireland are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954. 25

3 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the National Health Service Expenditure Act 2021.

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