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DRAFT STATUTORY INSTRUMENTS

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**2009 No. XXXX**

**NATIONAL HEALTH SERVICE, ENGLAND  
SOCIAL CARE, ENGLAND  
PUBLIC HEALTH, ENGLAND**

The Health and Social Care Act 2008  
(Regulated Activities) Regulations 2009

*Made* - - - - - *000*

*Coming into force* *1st April 2010*

**THE HEALTH AND SOCIAL CARE ACT 2008  
(REGULATED ACTIVITIES) REGULATIONS 2009**

PART 1

GENERAL

1. Citation and commencement
2. Interpretation

PART 2

REGULATED ACTIVITIES

3. Prescribed activities

PART 3

REQUIREMENTS RELATING TO PERSONS CARRYING  
ON OR MANAGING A REGULATED ACTIVITY

4. Requirements where the service provider is an individual or partnership
5. Requirement where the service provider is a body other than a partnership
6. Requirements relating to registered managers
7. Registered person: training

#### PART 4

### QUALITY AND SAFETY OF SERVICE PROVISION IN RELATION TO REGULATED ACTIVITY

8. General
9. Care and welfare of service users
10. Assessing and monitoring the quality of service provision
11. Safeguarding service users from abuse
12. Cleanliness and infection control
13. Management of medicines
14. Meeting nutritional needs
15. Safety and suitability of premises
16. Safety, availability and suitability of equipment
17. Respecting and involving service users
18. Consent to care and treatment
19. Complaints
20. Records
21. Requirements relating to workers
22. Staffing
23. Supporting workers
24. Cooperating with other providers

#### PART 5

### COMPLIANCE AND OFFENCES

25. Compliance with regulations
26. Guidance and Code
27. Offences

#### PART 6

### PENALTY NOTICES

28. (1) The offences under the provisions listed in the first...

#### PART 7

### REVOCATION

29. Revocation  
Signature

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#### SCHEDULE 1 — Regulated Activities

1. Personal care
2. Accommodation for persons who require nursing or personal care
3. Accommodation for persons who require treatment for substance misuse
4. Accommodation and nursing or personal care in the further education sector
5. Treatment of disease, disorder or injury
6. Assessment or medical treatment for persons detained under the 1983 Act
7. Surgical procedures
8. Diagnostic and screening procedures

9. Management of supply of blood and blood derived products etc.
10. Transport services, triage and medical advice provided remotely
11. Maternity and midwifery services
12. Termination of pregnancies
13. Services in slimming clinics
14. Nursing care
15. Family planning services

#### SCHEDULE 2 — Regulated Activities: General exceptions

1. (1) Any activity which is carried on—
2. Any activity which involves the carrying on of an establishment...
3. The provision of all medical services (including medical services provided...
4. Subject to paragraph 5, and except where paragraph 3 applies,...
5. Paragraph 4 does not apply in relation to—
6. The provision by a general medical practitioner (other than one...
7. The provision of services (other than in a surgery, consulting...
8. Medical services provided (otherwise than in a hospital) only under...
9. Treatment provided in a vehicle which is operated by an...
10. Forensic medical services provided under arrangements made with a police...
11. Dental services— (a) provided as primary dental services in pursuance...
12. Primary ophthalmic services provided under Part 6 of the 2006...
13. Pharmaceutical services and local pharmaceutical services provided under Part 7...
14. The provision of first aid by— (a) health care professionals...
15. Defence medical and dental services being— (a) health or dental...
16. Treatment provided in a school to the pupils of that...
17. In this Schedule— (a) “insurance provider” means—

#### SCHEDULE 3 — Information Required In Respect Of Persons Seeking To Carry On, Manage Or Work For The Purposes Of Carrying On, A Regulated Activity

1. Proof of identity including a recent photograph.
2. Where the certificate is required for a purpose referred to...
3. Satisfactory evidence of conduct in previous employment concerned with the...
4. Where a person (P) has been previously employed in a...
5. Satisfactory documentary evidence of any relevant qualification.
6. A full employment history, together with a satisfactory written explanation...
7. Satisfactory information about any physical or mental health conditions which...
8. For the purposes of this Schedule— (a) “the appointed day”...

#### SCHEDULE 4 — Fixed Penalty Offences

Explanatory Note