



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 2

REGISTRATION IN RESPECT OF PROVISION OF HEALTH OR SOCIAL CARE

Offences

36 False description of concerns, premises etc.

- (1) Any person who, with intent to deceive any person—
- applies any name to any concern carried on in England or to any premises in England, or
 - in any way describes such a concern or such premises or holds such a concern or such premises out,
- so as to indicate, or reasonably be understood to indicate, that the carrying on of the concern is a regulated activity or that the premises are used for the carrying on of a regulated activity is guilty of an offence unless the conditions in subsection (2) are met.
- (2) Those conditions are—
- that a person is registered under this Chapter as a service provider in respect of the regulated activity in question, and
 - that the registration has not been suspended.
- (3) Any person who, with intent to deceive any person, in any way describes or holds out any person registered under this Chapter as a service provider in respect of a regulated activity as able to provide a service or do any thing the provision or doing of which would contravene a condition for the time being in force by virtue of this Chapter in relation to the regulated activity is guilty of an offence.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 36. (See end of Document for details)

- (4) A person guilty of an offence under subsection (1) or (3) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) In this section “concern” includes any organisation.

Commencement Information

II S. 36 in force at 1.4.2009 for specified purposes by [S.I. 2009/462](#), art. 2, [Sch. 1 para. 14](#)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 36.