



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

Power to modify provisions of Chapter

43 Power to modify Chapter in relation to newly regulated activities

- (1) Regulations may modify the provisions of this Chapter in their application to any newly regulated activity of a prescribed description.
- (2) A “newly regulated activity” is any regulated activity other than one which—
 - (a) consists of or includes the carrying on of a relevant concern,
 - (b) under the 2000 Act as it has effect immediately before commencement, is regulated under Part 2 of that Act by virtue of regulations under section 42 of that Act (power to extend application of that Part), or
 - (c) consists of the provision of health care by a National Health Service body, as defined by section 121 of that Act.
- (3) For this purpose a relevant concern is anything which, under the 2000 Act as it has effect immediately before commencement, would for the purposes of that Act be—
 - (a) an independent hospital,
 - (b) an independent clinic,
 - (c) an independent medical agency,
 - (d) a care home,
 - (e) a domiciliary care agency, or
 - (f) a nurses agency.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 43. (See end of Document for details)

(4) Any regulated activity carried on by or on behalf of the Crown is for this purpose a newly regulated activity.

(5) In this section—

“the 2000 Act” means the Care Standards Act 2000 (c. 14);

“commencement” means the commencement of section 10 of this Act.

Modifications etc. (not altering text)

- C1** Pt. 1 excluded (6.4.2010) by [The Health and Social Care Act 2008 \(Commencement No.16, Transitory and Transitional Provisions\) Order 2010 \(S.I. 2010/807\)](#), arts. 1(1)(a), **17(4)(c)(5)(b)**
- C2** Pt. 1 excluded (6.4.2010) by [The Health and Social Care Act 2008 \(Commencement No.16, Transitory and Transitional Provisions\) Order 2010 \(S.I. 2010/807\)](#), arts. 1(1)(a), **14(4)(c)**

Commencement Information

- I1** S. 43 partly in force; S. 43 in force for specified purposes at Royal Assent, see s. 170
- I2** S. 43 in force at 6.4.2010 in so far as not already in force by [S.I. 2010/807](#), art. 2(1), **Sch. 1 para. 11** (with Pt. 3)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 43.