



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 3

QUALITY OF HEALTH AND SOCIAL CARE

Reviews and investigations

49 Power to extend periodic review function

- (1) The Secretary of State may by regulations require the Commission to—
 - (a) conduct periodic reviews of the carrying on of regulated activities by registered service providers, and
 - (b) either—
 - (i) publish reports of such reviews, or
 - (ii) assess the performance of registered service providers following such reviews and publish reports of its assessment.
- (2) Regulations under subsection (1) may require the Commission to conduct periodic reviews in relation to—
 - (a) all regulated activities or regulated activities of a particular description;
 - (b) all registered service providers or particular registered service providers;
 - (c) the whole of a regulated activity or a particular aspect of it.
- (3) In the case of a regulated activity carried on by a Primary Care Trust, another English NHS provider or an English local authority—
 - (a) subsection (1) does not apply to the carrying on of that activity by that body to the extent that the carrying on of that activity by that body is already subject to periodic review under section 46, but

Status: This is the original version (as it was originally enacted).

- (b) this does not prevent the Secretary of State from requiring the Commission to conduct periodic reviews of a particular aspect of the activity as carried on by that body.
- (4) If regulations under subsection (1) require the Commission to conduct periodic reviews, the following provisions have effect in relation to the reviews as they have effect in relation to reviews under section 46—
- (a) section 46(4) to (9), and
 - (b) section 47.
- (5) In this section “registered service provider” means a person registered under Chapter 2 as a service provider.