



Care Act 2014

2014 CHAPTER 23

PART 2

CARE STANDARDS

Care Quality Commission

86 Restriction on applications for variation or removal of conditions

- (1) Section 19 of the Health and Social Care Act 2008 (applications by registered persons to the Care Quality Commission for variation or removal of conditions, etc.) is amended as follows.
- (2) In subsection (1), after “Except in case A or B” insert “ and subject to subsections (3A) to (3F) ”.
- (3) After subsection (3) insert—
 - “(3A) R may not apply under subsection (1)(a) for the variation of a condition where either subsection (3B) or (3C) applies.
 - (3B) This subsection applies where—
 - (a) the Commission has given R notice under section 26(4)(c) of a proposal to make that variation (or a variation which would have substantially the same effect as that variation), and
 - (b) the Commission has not decided not to take that step.
 - (3C) This subsection applies where—
 - (a) the Commission has given R notice under section 28(3) of its decision to make that variation (or a variation which would have substantially the same effect as that variation), and
 - (b) either the time within which an appeal may be brought has not expired or, if an appeal has been brought, it has not yet been determined.

Changes to legislation: Care Act 2014, Section 86 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(3D) R may not apply under subsection (1)(a) for the removal of a condition where either subsection (3E) or (3F) applies.

(3E) This subsection applies where—

- (a) the Commission has given R notice under section 26(4)(c) of a proposal to remove that condition, and
- (b) the Commission has not decided not to take that step.

(3F) This subsection applies where—

- (a) the Commission has given R notice under section 28(3) of its decision to remove that condition, and
- (b) either the time within which an appeal may be brought has not expired or, if an appeal has been brought, it has not yet been determined.”

(4) The amendments made by this section do not affect any application made under section 19(1)(a) of the Health and Social Care Act 2008 before the day on which those amendments come into force.

Commencement Information

II S. 86 in force at 1.10.2014 by S.I. 2014/2473, art. 3(a)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)