
DRAFT STATUTORY INSTRUMENTS

2010 No.

**The Health and Social Care Act 2008
(Consequential Amendments No.2) Order 2010**

Amendments of the Licensing Act 2003

12. In section 16 of the Licensing Act 2003 (applicant for premises licence)(1)—

(a) in subsection (1)—

(i) in paragraph (g), after “hospital” insert “in Wales”, and

(ii) after paragraph (g) insert—

“(ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England;”;

(b) in subsection (3), for the definition of “independent hospital” substitute—

““independent hospital”—

(a) in relation to England, means—

(i) a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section, or

(ii) any other establishment in which any of the services listed in subsection (4) are provided and which is not a health service hospital as so defined; and

(b) in relation to Wales, has the same meaning as in the Care Standards Act 2000;”;

and

(c) after subsection (3) add—

“(4) The services referred to in paragraph (a)(ii) of the definition of “independent hospital” are as follows—

(a) medical treatment under anaesthesia or intravenously administered sedation;

(b) dental treatment under general anaesthesia;

(c) obstetric services and, in connection with childbirth, medical services;

(d) termination of pregnancies;

(e) cosmetic surgery, other than—

(i) ear and body piercing;

(ii) tattooing;

(iii) the subcutaneous injection of a substance or substances into the skin for cosmetic purposes; or

(iv) the removal of hair roots or small blemishes on the skin by the application of heat using an electric current.”.

(1) 2003 c. 17; to which there are amendments not relevant to this Order.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory
Instrument: The Health and Social Care Act 2008 (Consequential Amendments No.2) Order 2010 No. 813
