

---

DRAFT STATUTORY INSTRUMENTS

---

**2014 No.**

**The Health and Social Care Act 2008  
(Regulated Activities) Regulations 2014**

**PART 6**

Miscellaneous

**Revocations**

**25.** The following are revoked—

- (a) the 2010 Regulations,
- (b) the Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2011<sup>(1)</sup>,
- (c) regulation 11 of the Care Quality Commission (Registration) and (Additional Functions) and Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012<sup>(2)</sup>, and
- (d) the Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2012<sup>(3)</sup>.

**Transitional and transitory provision**

**26.**—(1) No proceedings for an offence under regulation 22 may be brought against a person for a failure to comply with any of regulations 11, 12, 13(1) to (4), 14, 16(3), 17(3) or 20(2)(a) and (3) in so far as such failure was a continuing failure which—

- (a) was the subject of a warning notice given by the Commission in accordance with regulation 27(2)(a) of the 2010 Regulations (offences), and
- (b) occurred during the period ending with the time specified in that notice within which the registered person must take action to secure compliance in accordance with section 29(2)(c)(ii) of the Act.

(2) Until such time as these Regulations come fully into force, regulation 21 (requirements relating to workers) of the 2010 Regulations is to be read as though there were inserted at the end of that regulation—

“This regulation, except sub-paragraph (c), does not apply in a case to which regulation 5 (fit and proper persons: directors) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applies.”

---

(1) [S.I. 2011/2711](#).  
(2) [S.I. 2012/921](#).  
(3) [S.I. 2012/1513](#).

## **Review**

- 27.**—(1) Before the end of each review period, the Secretary of State must—
- (a) carry out a review of these Regulations,
  - (b) set out the conclusions of the review in a report, and
  - (c) publish the report.
- (2) The report must in particular—
- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,
  - (b) assess the extent to which those objectives are achieved, and
  - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (3) In this regulation, “review period” means—
- (a) the period of five years beginning on 1st April 2015, and
  - (b) subject to paragraph (4), each successive period of five years.
- (4) If a report under this regulation is laid before Parliament before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is laid.