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STATUTORY INSTRUMENTS

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**2010 No. 1881**

**The Health and Social Care Act 2008 (Miscellaneous  
Consequential Amendments) Order 2010**

**Children Act 2004 (Children's Services) Regulations 2005**

17.—(1) Regulation 2 of the Children Act 2004 (Children's Services) Regulations 2005 (children's services)(1) is amended as follows.

(2) For regulation 2(1)(j), substitute the following—

“(j) in an independent hospital within the meaning of paragraph (3);”.

(3) Omit sub-paragraph (k) of regulation 2(1).

(4) For sub-paragraph (l) of regulation 2(1) substitute the following—

“(l) by an independent medical agency within the meaning of paragraph (4);”.

(5) After paragraph (2) of regulation 2, insert the following—

“(3) For the purposes of these Regulations, “independent hospital” means 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.

(4) For the purposes of these Regulations, “independent medical agency” means an undertaking (not being an independent hospital) which consists of or includes the provision of services by medical practitioners and the term “undertaking” in this definition is to be interpreted in accordance with paragraph (5).

(5) For the purposes of the definition of “independent medical agency” in paragraph (4), “undertaking” includes any business or profession and—

- (a) in relation to a public or local authority, includes the exercise of any functions of that authority; and
- (b) in relation to any other body of persons, whether corporate or unincorporate, includes any of the activities of that body.”.