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STATUTORY INSTRUMENTS

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**2010 No. 2484**

The Health and Social Care Act 2008 (Primary Dental Services, Private Ambulance Services and Primary Medical Services) (Regulated Activities) (Transitory and Transitional Provisions) Order 2010

PART 2

Provisions relating to activities which are regulated activities with effect from 1st April 2011

**Transitory modifications of, and transitional provisions relating to the exercise of powers in, sections 12(5) and 15(5) of the Act**

- 7.—(1) Where a decision has been made by the Commission to grant a transitional application—
- (a) the Commission may subsequently exercise its powers under section 12(5) or 15(5) of the Act (conditions of registration) in respect of the registration prior to 1st April 2011, notwithstanding that the period of that registration has not commenced; and
  - (b) when it does so exercise those powers, those sections are modified as if “for the time being in force” were omitted.
- (2) Where the Commission decides to exercise its powers under section 12(5) or 15(5) of the Act as provided for in paragraph (1)—
- (a) sections 26(4)(c) and (d) (notice of proposals) and 28(3), (4), (6) and (7) (notice of decisions) do not apply; and
  - (b) the Commission must follow the procedure set out in the following paragraphs.
- (3) The Commission must give the applicant or person to be registered as manager notice in writing of its decision under paragraph (2) and of any conditions being varied, removed or imposed.
- (4) The Commission must follow the procedure set out in paragraphs (4) and (6) to (11) of article 5 as though the references in those paragraphs to a decision under paragraph (1) of article 5 were references to the Commission’s decision under paragraph (2) of this article.