

SCHEDULE 3

Amendments consequential on the establishment of the National Health Service Commissioning Board and clinical commissioning groups

The Care Quality Commission (Registration) Regulations 2009

11.—(1) The Care Quality Commission (Registration) Regulations 2009⁽¹⁾ are amended as follows.

(2) In regulation 16(4) (notification of death of service user), for “the NHS Commissioning Board Authority established under article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011”, substitute “the National Health Service Commissioning Board”.

(3) After regulation 16(4) insert—

“(4A) For the purposes of paragraph (4), where a person has reported a death to the NHS Commissioning Board Authority, established under Article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011, before the establishment of the National Health Service Commissioning Board (“the Board”), that report is to be treated as having been made to the Board.”.

(4) In regulation 18(4) (notification of other incidents), for “the NHS Commissioning Board Authority established under article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011”, substitute “the National Health Service Commissioning Board”.

(5) After regulation 18(4) insert—

“(4ZA) For the purposes of paragraph (4), where a person has reported an incident to the NHS Commissioning Board Authority, established under Article 2 of the NHS Commissioning Board Authority (Establishment and Constitution) Order 2011, before the establishment of the National Health Service Commissioning Board (“the Board”), that report is to be treated as having been made to the Board.”.

⁽¹⁾ [S.I. 2009/3112](#) as amended by [S.I. 2012/1186](#). There are other amending instruments but none is relevant.