
STATUTORY INSTRUMENTS

2012 No. 921

**The Care Quality Commission (Registration) and
(Additional Functions) and Health and Social Care Act
2008 (Regulated Activities) (Amendment) Regulations 2012**

PART 2

**AMENDMENTS TO THE CARE QUALITY
COMMISSION (REGISTRATION) REGULATIONS 2009**

Amendment to regulation 18

5. In regulation 18 (notification of other incidents)—
- (a) omit paragraph (2)(c) and (d);
 - (b) after sub-paragraph (2)(g) insert—
 - “(h) any placement of a service-user under the age of eighteen in a psychiatric unit whose services are intended for persons over that age where that placement has lasted for longer than a continuous period of 48 hours.”;
 - (c) after paragraph (4) insert—
 - “(4A) The registered person must notify the Commission of the following events, which occur whilst services are being provided in the carrying on of a regulated activity, or as a consequence of the carrying on of a regulated activity—
 - (a) any request to a supervisory body made pursuant to Part 4 of Schedule A1 to the 2005 Act⁽¹⁾ by the registered person for a standard authorisation;
 - (b) any application made to a court in relation to depriving a service user of their liberty pursuant to section 16(2)(a) of the 2005 Act.
 - (4B) Any notification required to be given in respect of an event in paragraph (4A) shall be given once the outcome of the request or application is known or, if the request or application is withdrawn, at the point of withdrawal and shall include a statement as to—
 - (a) the date and nature of the request or application;
 - (b) whether the request or application was preceded by the use of an urgent authorisation, within the meaning of paragraph 9 of Schedule A1 to the 2005 Act;
 - (c) the outcome of the request or application or reason for its withdrawal; and
 - (d) the date of the outcome or withdrawal.”.

(1) Schedule A1 was inserted into the Mental Capacity Act 2005 (c.9) by paragraph 1 of Schedule 7 to the Mental Health Act 2007 (c.12).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
