
STATUTORY INSTRUMENTS

2016 No. 249

**NATIONAL HEALTH SERVICE, ENGLAND
SOCIAL CARE, ENGLAND
PUBLIC HEALTH, ENGLAND**

**The Care Quality Commission (Fees) (Reviews
and Performance Assessments) Regulations 2016**

Made - - - - *25th February 2016*
Laid before Parliament *1st March 2016*
Coming into force - - *1st April 2016*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 85(1)(b) and 161(3)(1) of the Health and Social Care Act 2008(2).

In accordance with section 85(6) of that Act the Secretary of State has consulted the Commission(3) and such other persons as the Secretary of State considers appropriate.

Citation and commencement

1. These Regulations may be cited as the Care Quality Commission (Fees) (Reviews and Performance Assessments) Regulations 2016 and come into force on 1st April 2016.

Prescribed functions

2. For the purpose of section 85(1)(b) of the Health and Social Care Act 2008 (fees) the functions of the Commission under section 46(1)(4) (reviews and performance assessments) of that Act are prescribed.

(1) Section 161(3) has been amended by section 294(4) of the Health and Social Care Act 2012 (c.7).
(2) 2008 c.14 (“the Act”) - see section 97 of the Act for the definition of “prescribed” and “regulations”.
(3) The reference to “the Commission” is a reference to the Care Quality Commission - see section 1(1) of the Act which made provision for the establishment of the Commission.
(4) Section 46 was substituted by section 91(1) and (2) of the Care Act 2014 (c.23.).

Status: This is the original version (as it was originally made).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

Signed by the authority of the Secretary of State for Health.

25th February 2016

Ben Gummer
Parliamentary Under-Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 85(1)(b) of the Health and Social Care Act 2008 (“the 2008 Act”) permits the Care Quality Commission, with the consent of the Secretary of State, to make and publish provision requiring a fee to be paid by English NHS bodies, English local authorities, persons registered under Chapter 2 of the 2008 Act and such other persons as may be prescribed, in respect of the exercise by the Commission of such of its functions referred to under Part 1 of the 2008 Act as are prescribed.

These regulations prescribe the Commission’s functions under section 46(1) of the 2008 Act for the purposes of section 85(1)(b) of that Act.

A full impact assessment of the effect that the instrument will have on the private sector and civil society organisations has been made. A copy of this impact assessment is available from the Department of Health, Richmond House, 79 Whitehall, London SW1A 2NS (www.gov.uk/government/organisations/department-of-health) and is published alongside this instrument and its Explanatory Memorandum at www.legislation.gov.uk.