STATUTORY INSTRUMENTS

2017 No. 914

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

The Care Quality Commission (Reviews and Performance Assessments) (Amendment) Regulations 2017

Made - - - -	*12th September 2017*
Laid before Parliament	*13th September 2017*
Coming into force - -	*31st October 2017*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 46(1) and (2) of the Health and Social Care Act 2008(**1**).

Citation and commencement

1. These Regulations may be cited as the Care Quality Commission (Reviews and Performance Assessments) (Amendment) Regulations 2017 and come into force on 31st October 2017.

Amendment of the Care Quality Commission (Reviews and Performance Assessments) Regulations 2014

2.—(1) The Care Quality Commission (Reviews and Performance Assessments) Regulations 2014(**2**) are amended as follows.

(2) In regulation 1(2) for the definition of "the 2010 Regulations", substitute—

""the 2014 Regulations" mean the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014(**3**);".

(3) For the table in the Schedule, substitute—

(**1**) 2008 c.14. Section 46 was substituted by section 91(2) of the Care Act 2014 (c.23).
(**2**) S.I. 2014/1788.
(**3**) S.I. 2014/2936, as amended by S.I. 2015/64, 643 and 664 and S.I. 2016/765.

"**Table**

Registered Service Provider	*Regulated Activity*
An NHS Trust	All regulated activities, except for surgical procedures as referred to in paragraph 6(1) of Schedule 1 to the 2014 Regulations which is carried out in connection with any of the activities listed in Schedule 2 (activities for which licences may be granted) to the Human Fertilisation and Embryology Act 1990(**4**) and for which a licence has been granted to that person under section 16 (grant of licence) of that Act.
An NHS Foundation Trust	All regulated activities, except for surgical procedures as referred to in paragraph 6(1) of Schedule 1 to the 2014 Regulations which is carried out in connection with any of the activities listed in Schedule 2 (activities for which licences may be granted) to the Human Fertilisation and Embryology Act 1990 and for which a licence has been granted to that person under section 16 (grant of licence) of that Act.
An independent hospital	All regulated activities except for surgical procedures as referred to in paragraph 6(1) of Schedule 1 to the 2014 Regulations which is carried out in connection with any of the activities listed in Schedule 2 (activities for which licences may be granted) to the Human Fertilisation and Embryology Act 1990 and for which a licence has been granted to that person under section 16 (grant of licence) of that Act.
A provider whose sole or main purpose is the provision of primary medical services pursuant to— (a) section 83(2) of the 2006 Act (primary medical services); (b) section 84 of that Act (general medical services contracts); or (c) section 92 of that Act (arrangements by the Board for the provision of primary medical services).	All regulated activities.
Any other service provider	Personal Care as referred to in paragraph 1 of Schedule 1 to the 2014 Regulations.

(**4**) 1990 c. 37, to which amendments have been made by sections 11 and 16 of, and Schedule 2 to, the Human Fertilisation and Embryology Act 2008 (c. 22) and by S.I. 2007/1522.