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DRAFT STATUTORY INSTRUMENTS

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**2009 No.**

The Health and Social Care Act 2008  
(Regulated Activities) Regulations 2009

PART 5

COMPLIANCE AND OFFENCES

**Guidance and Code**

**26.**—(1) For the purposes of compliance with the requirements set out in these Regulations, the registered person must have regard to—

- (a) guidance issued by the Commission in relation to the requirements set out in Parts 3 and 4 (with the exception of regulation 12 in so far as it applies to health care associated infections); and
  - (b) in relation to regulation 12, any Code of Practice issued by the Secretary of State in relation to the prevention or control of health care associated infections.
- (2) For the purposes of paragraph (1)—
- (a) “guidance” means the guidance referred to in section 23 of the Act; and
  - (b) “Code of Practice” means the code of practice referred to in section 21 of the Act.