

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

Registration procedure

Section 28: Notice of decisions

159. *Section 28* requires the Commission to give the applicant notice of its decision to grant an application unconditionally, or subject only to a registered manager condition under section 13(1) and/or conditions already agreed in writing with the applicant (*subsection (1)*). The notice must state the conditions (*subsection (2)*).
160. Where the Commission has decided to give effect to a proposal of which notice was previously given under section 26, *subsection (3)* requires the Commission to serve a further notice in writing of its decision.
161. That further notice must explain the rights of appeal conferred under section 32. In the case of a decision to grant an application subject to conditions, or to vary the conditions of an existing registration, the notice must set out the conditions, or the changes to them. In the case of a decision to suspend registration, the notice must state the period of the suspension (*subsection (4)*).
162. A decision made by the Commission under section 28 to adopt a proposal of which notice has been given under section 26 will take effect, either from the date that the Commission receives notice that the provider does not intend to appeal, or after the outcome of any appeal has been determined or the appeal has been abandoned, or after 28 days if no appeal is brought.