



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 6

MISCELLANEOUS AND GENERAL

Powers of entry etc.

62 Entry and inspection

- (1) The power in subsection (2) is exercisable if the Commission considers it necessary or expedient for the purposes of any of its regulatory functions.
- (2) A person authorised by the Commission may enter and inspect any premises which are, or which the person reasonably believes to be, regulated premises.
- (3) Premises are “regulated premises” if they fall within one or more of the following descriptions—
 - (a) they are used for the carrying on of a regulated activity,
 - (b) they are owned or controlled by an English NHS body or English local authority, or
 - (c) they are used or proposed to be used for or in connection with—
 - (i) the provision of NHS care,
 - (ii) the exercise of any functions of an English NHS body, or
 - (iii) the provision of adult social services.
- (4) If NHS care or an adult social service is provided to a person in premises used wholly or mainly as a private dwelling, the premises are not to be regarded as used for or in connection with the provision of that care or service.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 62. (See end of Document for details)

- (5) A person who proposes to exercise the power conferred by subsection (2) must if so required produce some duly authenticated document showing the person's authority to exercise the power.
- (6) “Premises” includes a vehicle.

Modifications etc. (not altering text)

- C1** Pt. 1 excluded (6.4.2010) by The Health and Social Care Act 2008 (Commencement No.16, Transitory and Transitional Provisions) Order 2010 (S.I. 2010/807), arts. 1(1)(a), **17(4)(c)(5)(b)**
- C2** Pt. 1 excluded (6.4.2010) by The Health and Social Care Act 2008 (Commencement No.16, Transitory and Transitional Provisions) Order 2010 (S.I. 2010/807), arts. 1(1)(a), **14(4)(c)**
- C3** S. 62 applied (9.11.2015) by The Children Act 2004 (Joint Area Reviews) Regulations 2015 (S.I. 2015/1792), reg. 1(1), **Sch. para. 5**
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Commencement Information

- I1** S. 62 in force at 12.1.2009 for specified purposes by S.I. 2008/3168, **art. 2**
- I2** S. 62 in force at 6.4.2010 in so far as not already in force by S.I. 2010/807, art. 2(1), **Sch. 1 para. 13** (with Pt. 3)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 62.