



# Health and Social Care Act 2012

## 2012 CHAPTER 7

### PART 3

#### REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

### CHAPTER 3

#### LICENSING

#### *Enforcement*

#### **104 Power to require documents and information**

- (1) Monitor may require a person mentioned in subsection (2) to provide it with any information, documents, records or other items which it considers it necessary or expedient to have for the purposes of any of its regulatory functions.
- (2) The persons are—
  - (a) an applicant for a licence under this Chapter,
  - (b) a licence holder,
  - (c) a person who has provided, or is providing, a health care service for the purposes of the NHS in accordance with an exemption by virtue of section 83 from the requirement to hold a licence under this Chapter,
  - (d) a person who has provided, or is providing, a health care service for the purposes of the NHS in breach of that requirement,
  - (e) the National Health Service Commissioning Board, and
  - (f) a clinical commissioning group.
- (3) The power in subsection (1) includes, in relation to information, documents or records kept by means of a computer, power to require the provision of the information, documents or records in legible form.

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**Status:** *This is the original version (as it was originally enacted).*

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- (4) For the purposes of subsection (1) Monitor's regulatory functions are its functions under—
- (a) this Chapter,
  - (b) Chapters 4 to 6,
  - (c) Chapter 5 of Part 2 of the National Health Service Act 2006 (NHS foundation trusts), and
  - (d) Chapter 5A of that Part of that Act (trust special administration).