



Health and Social Care Act 2012

2012 CHAPTER 7

PART 3

REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

CHAPTER 3

LICENSING

Licence conditions

95 Special conditions

- (1) Monitor may—
 - (a) with the consent of the applicant, include a special condition in a licence under this Chapter, and
 - (b) with the consent of the licence holder, modify a special condition of a licence.
- (2) Before including a special condition or making such modifications Monitor must give notice to—
 - (a) the applicant or the licence holder (as the case may be),
 - (b) the Secretary of State,
 - (c) the National Health Service Commissioning Board,
 - (d) such clinical commissioning groups as are likely to be affected by the proposed inclusion or modifications, and
 - (e) the Care Quality Commission and its Healthwatch England committee.
- (3) Monitor must also publish the notice under subsection (2).
- (4) The notice under subsection (2) must—
 - (a) state that Monitor proposes to include the special condition or make the modifications and set out its or their proposed effect,

Status: *This is the original version (as it was originally enacted).*

- (b) set out Monitor’s reasons for the proposal, and
 - (c) specify the period (“the notice period”) within which representations with respect to the proposal may be made to Monitor.
- (5) The notice period must be not less than 28 days beginning with the day after that on which the notice is published under subsection (3).
- (6) In this section, a reference to modifying a condition includes a reference to amending, omitting or adding a condition.