
STATUTORY INSTRUMENTS

2010 No. 807

**The Health and Social Care Act 2008 (Commencement
No.16, Transitory and Transitional Provisions) Order 2010**

PART 3

Transitional and transitory provisions relating to the Care Quality Commission

Applications made to the Commission under section 12 of the 2000 Act on or after 1st July 2010 or 1st August 2010

19.—(1) This article applies where an application is made to the Commission under section 12 of the 2000 Act (applications for registration) before 1st October 2010 but on or after—

- (a) 1st July 2010 in respect of the carrying on of an establishment or agency; or
- (b) 1st August 2010 in respect of the management of an establishment or agency.

(2) The Commission must as soon as reasonably practicable after receipt of an application to which this article applies notify in writing a person who has made such an application—

- (a) that the application will not be determined under the 2000 Act; and
- (b) of the need to make a new application under section 11 or 14 (applications for registration as a service provider or manager) of the Act (as the case may be).

(3) Where notification is sent under paragraph (2), the Commission must return any fee paid in respect of the application under the 2000 Act.

(4) Notification sent pursuant to paragraph (2) must specify—

- (a) the form in which the application under section 11 or 14 of the Act must be made; and
- (b) what information it must contain or be accompanied by.

(5) The Commission must determine as soon as reasonably practicable an application made under section 11 or 14 of the Act by a person who had made an application to which this article applies.