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STATUTORY INSTRUMENTS

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**2023 No. 416**

**The Supported Accommodation (England) Regulations 2023**

**PART 10**

Miscellaneous

**Transitional provisions**

**44.**—(1) This paragraph applies where, by the end of 27th October 2023, a person has submitted to the CIECSS a complete application for registration as a supported accommodation undertaking and that application has not been withdrawn or returned by the CIECSS.

(2) Where paragraph (1) applies, the person does not commit an offence under section 11 of the Care Standards Act 2000(1)—

- (a) where the registration is granted, either unconditionally or subject to conditions agreed in writing between the person and the CIECSS, until such time as the written notice of the decision to grant registration under section 19(1) of the Care Standards Act 2000 is served;
- (b) where the CIECSS proposes to grant the application subject to conditions which have not been agreed between it and the person, and a written notice of the decision to adopt a proposal under section 17 of the Care Standards Act 2000(2) is served under section 19(3) of that Act, until such time as—
  - (i) where the person appeals the proposal, the appeal is determined or withdrawn, or
  - (ii) where the person does not appeal, 28 days after the day on which the notice is served, or
  - (iii) where the person does not appeal and before the expiry of 28 days after the day on which the notice is served, the person gives the CIECSS written notice that they do not intend to appeal;
- (c) where the registration is refused, until such time as the notice of the decision to refuse is served.

(3) In this regulation a “complete application for registration as a supported accommodation undertaking” means an application—

- (a) that has been made in accordance with the requirements set out in the Care Standards Act 2000 (Registration) (England) Regulations 2010;
- (b) that is accompanied by the relevant fee as set out in the Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2015.

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(1) Section 11 was amended by the Adoption and Children Act 2002, Schedule 3, paragraph 106, the Health and Social Care (Community Health and Standards) Act 2003, Schedule 9, paragraph 20, the Education and Inspections Act 2006, Schedule 14, paragraph 42 and the Health and Social Care Act 2008, Schedule 5, paragraph 10.

(2) Section 17 was amended by the Health and Social Care Act 2008, Schedule 5, paragraph 16.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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