



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 1 U.K.

#### THE CARE QUALITY COMMISSION

### CHAPTER 6 U.K.

#### MISCELLANEOUS AND GENERAL

##### *Fees*

#### 85 Fees E+W

- (1) The Commission may with the consent of the Secretary of State from time to time make and publish provision—
  - (a) requiring a fee to be paid in respect of—
    - (i) an application for registration as a service provider or manager under Chapter 2,
    - (ii) the grant or subsistence of any such registration, or
    - (iii) an application under section 19(1);
  - (b) requiring English NHS bodies, English local authorities, persons registered under Chapter 2 and such other persons as may be prescribed to pay a fee in respect of the exercise by the Commission of such of its other functions under this Part as may be prescribed.
- (2) The amount of a fee payable under provision under subsection (1) is to be such as may be specified in, or calculated or determined under, the provision.
- (3) Provision under subsection (1) may include provision—
  - (a) for different fees to be paid in different cases,
  - (b) for different fees to be paid by persons of different descriptions,

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*Status: Point in time view as at 01/10/2008.*

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

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- (c) for the amount of a fee to be determined by the Commission in accordance with specified factors, and
  - (d) for determining the time by which a fee is to be payable.
- (4) Before making provision under subsection (1) the Commission must consult such persons as it thinks appropriate.
- (5) If the Secretary of State considers it necessary or desirable to do so, the Secretary of State may by regulations make provision determining the amount of a fee payable to the Commission by virtue of this section, and the time at which it is payable, instead of those matters being determined in accordance with provision made under subsection (1).
- (6) Before making any regulations under this section, the Secretary of State must consult the Commission and such other persons as the Secretary of State thinks appropriate.
- (7) For the purpose of determining the fee payable by a person by virtue of this section, the person must provide the Commission with such information, in such form, as the Commission may require.
- (8) A fee payable by virtue of this section may, without prejudice to any other method of recovery, be recovered summarily as a civil debt.

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**Commencement Information**

- I1** S. 85 partly in force; S. 85 in force for specified purposes at Royal Assent, see s. 170
- I2** S. 85 in force at 1.10.2008 in so far as not already in force by [S.I. 2008/2497](#), [art. 2\(j\)](#)

**Status:**

Point in time view as at 01/10/2008.

**Changes to legislation:**

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