



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 1

#### THE CARE QUALITY COMMISSION

### CHAPTER 2

#### REGISTRATION IN RESPECT OF PROVISION OF HEALTH OR SOCIAL CARE

##### *Registration procedure*

### **30 Urgent procedure for cancellation**

- (1) If—
- (a) the Commission applies to a justice of the peace for an order cancelling the registration of a person as a service provider or manager in respect of a regulated activity, and
  - (b) it appears to the justice that, unless the order is made, there will be a serious risk to a person's life, health or well-being,
- the justice may make the order, and the cancellation has effect from the time when the order is made.
- (2) An application under subsection (1) may, if the justice thinks fit, be made without notice having been given to the registered person.
- (3) As soon as practicable after the making of an application under this section, the Commission must give notice of the application—
- (a) to such Primary Care Trust or English local authority as may be determined in accordance with regulations,
  - (b) where the person registered as a service provider is a Primary Care Trust or National Health Service trust, to such Strategic Health Authority as may be so determined,

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*Status: This is the original version (as it was originally enacted).*

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- (c) where the person registered as a service provider is an NHS foundation trust, to the Independent Regulator of NHS Foundation Trusts, and
  - (d) to such other persons as the Commission considers appropriate.
- (4) An order under subsection (1) must be in writing.
- (5) Where such an order is made, the Commission must, as soon as practicable after the making of the order, serve on the person registered as a service provider or manager in respect of the regulated activity—
  - (a) a copy of the order, and
  - (b) notice of the right of appeal conferred by section 32.