



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

Offences

34 Offences relating to suspension or cancellation of registration

- (1) If a person (“S”) who is registered under this Chapter as a service provider in respect of a regulated activity carries on that activity while S's registration is suspended, S is guilty of an offence.
- (2) A person (“M”) whose registration under this Chapter as a manager in respect of a regulated activity is suspended is guilty of an offence if, during the period of suspension, M manages that activity at a time when no one else has been registered under this Chapter as a manager in respect of the activity since the suspension of M's registration.
- (3) A person (“M”) whose registration under this Chapter as a manager in respect of a regulated activity has been cancelled is guilty of an offence if M manages that activity at a time when—
 - (a) a person (“S”) remains registered under this Chapter as a service provider in respect of the activity,
 - (b) S's registration remains subject to a registered manager condition, and
 - (c) no-one has been registered under this Chapter as a manager in respect of the activity since the cancellation of M's registration.

Status: Point in time view as at 12/03/2015.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 34. (See end of Document for details)

- (4) If a person (“M”) who is registered under this Chapter as a manager in respect of a regulated activity manages that activity while the registration of the person registered under this Chapter as a service provider in respect of the activity is suspended, M is guilty of an offence if M knows or could reasonably be expected to know of the suspension.
- (5) A person guilty of an offence under this section is liable on summary conviction to [^{F1}a fine].

Textual Amendments

- F1** Words in s. 34(5) substituted (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 40(4)** (with reg. 5(1))

Commencement Information

- I1** S. 34(1)(5) in force at 1.4.2009 for specified purposes by [S.I. 2009/462](#), art. 2, **Sch. 1 para. 13**
- I2** S. 34(2)-(4) in force at 1.10.2010 by [S.I. 2010/807](#), art. 2(2), **Sch. 1 para. 24** (with Pt. 3)
- I3** S. 34(5) in force at 1.10.2010 in so far as not already in force by [S.I. 2010/807](#), art. 2(2), **Sch. 1 para. 24** (with Pt. 3)

Status:

Point in time view as at 12/03/2015.

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 34.