



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1 U.K.

THE CARE QUALITY COMMISSION

CHAPTER 6 U.K.

MISCELLANEOUS AND GENERAL

Powers of entry etc.

64 Power to require documents and information etc. E+W

- (1) The Commission may require any person mentioned in subsection (2) to provide it with any information, documents, records (including personal and medical records) or other items which the Commission considers it necessary or expedient to have for the purposes of any of its regulatory functions.
- (2) The persons are—
 - (a) an English NHS body,
 - (b) a person providing health care commissioned by ^{F1}—
 - (i) ^{F2}NHS England],
 - ^{F3}(ii) an integrated care board,] or
 - (iii) ^{F4} ...
 - (c) an English local authority,
 - (d) a person providing adult social services commissioned by an English local authority, ^{F5} ...
 - (e) a person who carries on or manages a regulated activity, ^{F6} ...
 - ^{F6}(f)
- (3) The power in subsection (1) to require the provision of information, documents or records includes, in relation to information, documents or records kept by means of

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 64. (See end of Document for details)

a computer, power to require the provision of the information, documents or records in legible form.

- (4) A person who without reasonable excuse fails to comply with a requirement imposed under this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Textual Amendments

- F1** Words in s. 64(2)(b) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 162(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words in s. 64 substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), Sch. 1 para. 1(1)(2); S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F3** S. 64(2)(b)(ii) substituted (1.7.2022) by Health and Care Act 2022 (c. 31), s. 186(6), **Sch. 4 para. 166**; S.I. 2022/734, reg. 2(a), Sch. (with regs. 13, 29, 30)
- F4** Words in s. 64(2)(b) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 162(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F5** Word in s. 64(2) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 19 para. 11(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F6** S. 64(2)(f) and word omitted (1.2.2023) by virtue of The Health and Social Care Information Centre (Transfer of Functions, Abolition and Transitional Provisions) Regulations 2023 (S.I. 2023/98), reg. 1(2), **Sch. para. 13** (with reg. 3)

Modifications etc. (not altering text)

- C1** Pt. 1 excluded (6.4.2010) by The Health and Social Care Act 2008 (Commencement No.16, Transitional and Transitional Provisions) Order 2010 (S.I. 2010/807), arts. 1(1)(a), **17(4)(c)(5)(b)**
- C2** Pt. 1 excluded (6.4.2010) by The Health and Social Care Act 2008 (Commencement No.16, Transitional and Transitional Provisions) Order 2010 (S.I. 2010/807), arts. 1(1)(a), **14(4)(c)**
- C3** S. 64 restricted (1.4.2015) by Care Act 2014 (c. 23), **ss. 92(9)**, 127(1); S.I. 2015/993, art. 2(w) (with transitional provisions in S.I. 2015/995)
- C4** S. 64 applied (9.11.2015) by The Children Act 2004 (Joint Area Reviews) Regulations 2015 (S.I. 2015/1792), reg. 1(1), **Sch. para. 5**

Commencement Information

- I1** S. 64 in force at 12.1.2009 for specified purposes by S.I. 2008/3168, **art. 2**
- I2** S. 64 in force at 6.4.2010 in so far as not already in force by S.I. 2010/807, art. 2(1), **Sch. 1 para. 13** (with Pt. 3)

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 64.