
STATUTORY INSTRUMENTS

2001 No. 3968

The Private and Voluntary Health
Care (England) Regulations 2001

PART III

CONDUCT OF HEALTH CARE ESTABLISHMENTS AND AGENCIES

CHAPTER 3

MANAGEMENT

Financial position

27.—(1) The registered provider shall carry on the establishment or agency in such manner as is likely to ensure that the establishment or agency will be financially viable for the purpose of achieving the aims and objectives set out in the statement of purpose.

(2) The registered person shall, if the Commission so requests, provide the Commission with such information and documents as it may require for the purpose of considering the financial viability of the establishment or agency, including—

- (a) the annual accounts of the establishment or agency, certified by an accountant; or
- (b) the annual accounts of the organisation which is the registered provider of the establishment or agency, certified by an accountant, together with accounts relating to the establishment or agency itself.

(3) The registered person shall also provide the Commission with such other information as it may require in order to consider the financial viability of the establishment or agency, including—

- (a) a reference from a bank expressing an opinion as to the registered provider's financial standing;
- (b) information as to the financing and financial resources of the establishment or agency;
- (c) where the registered provider is a company, information as to any of its associated companies; and
- (d) a certificate of insurance for the registered provider in respect of liability which may be incurred by him in relation to the establishment or agency in respect of death, injury, public liability, damage or other loss.

(4) In this regulation, one company is associated with another if one of them has control of the other, or both are under the control of the same person.