
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations partly replace, with amendments, the National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2003 and prescribe the fees that are to be paid to the Commission for Healthcare Audit and Inspection (“the CHAI”) by certain establishments and agencies, namely independent hospitals, independent clinics and independent medical agencies, under Part 2 of the Care Standards Act 2000 (“the Act”).

The National Care Standards Commission is abolished with effect from 1st April 2004 and its functions in relation to the regulation of independent hospitals, independent clinics and independent medical agencies have been transferred to the CHAI pursuant to section 102 of the Health and Social Care (Community Health and Standards) Act 2003 as from that date.

The fees are payable—

- (a) on an application for registration in respect of an establishment or agency (regulation 3); and
- (b) on an application for the variation or removal of any condition for the time being in force in relation to the registration (regulation 4).

In addition, regulation 5 prescribes the annual fee that is to be paid in respect of these establishments and agencies under section 16(3) of the Act.

Regulation 6 prescribes the frequency of inspections of premises used for the purposes of these establishments and agencies.

A Regulatory Impact Assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from the Department of Health’s website www.doh.gov.uk/regulatoryimpact/index.htm. In addition, a copy can be obtained from Room 530b Skipton House, 80 London Road, London, SE1 6LH.