



Health and Social Care Act 2012

2012 CHAPTER 7

PART 3

REGULATION OF HEALTH AND ADULT SOCIAL CARE SERVICES

CHAPTER 1

MONITOR

68 Duty to review regulatory burdens

- (1) Monitor must keep the exercise of its functions under review and secure that in exercising its functions it does not—
 - (a) impose burdens which it considers to be unnecessary, or
 - (b) maintain burdens which it considers to have become unnecessary.
- (2) In keeping the exercise of its functions under review, Monitor must have regard to such principles as appear to it to represent best regulatory practice.
- (3) Subsection (1) does not require the removal of a burden which has become unnecessary where its removal would, having regard to all the circumstances, be impractical or disproportionate.
- (4) Monitor must from time to time publish a statement setting out—
 - (a) what it proposes to do pursuant to subsection (1) in the period to which the statement relates,
 - (b) what it has done pursuant to that subsection since publishing the previous statement, and
 - (c) where a burden relating to the exercise of the function which has become unnecessary is maintained pursuant to subsection (3), the reasons why removal of the burden would, having regard to all the circumstances, be impractical or disproportionate.
- (5) The first statement—

Status: This is the original version (as it was originally enacted).

- (a) must be published as soon as practicable after the commencement of this section, and
 - (b) must relate to the period of 12 months beginning with the date of publication.
- (6) A subsequent statement—
 - (a) must be published during the period to which the previous statement related or as soon as reasonably practicable after that period, and
 - (b) must relate to the period of 12 months beginning with the end of the previous period.
- (7) Monitor must, in exercising its functions, have regard to the statement that is in force at the time in question.
- (8) Monitor may revise a statement before or during the period to which it relates; and, if it does so, it must publish the revision as soon as reasonably practicable.