

# CARE ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1 – Care and Support**

##### **Market oversight**

##### *Section 54 – Determining whether criteria apply to care provider*

340. This section sets out that it will be the responsibility of the CQC to identify which providers satisfy the criteria set out for entry into the regulatory regime (*subsection (1)*).
341. The market oversight regime will apply to those providers identified by the CQC as meeting the entry criteria (*subsection (1)*) and those providers who are required to comply with the regime, or parts of the regime, by virtue of regulations made under section 53(5). *Subsection (2)* clarifies that the market oversight regime (or parts of the regime) do not apply to such providers identified by regulations made under section 53(4).
342. *Subsection (3)* provides that the CQC must inform the providers that satisfy the entry criteria that they are now subject to the market oversight regime. The CQC must also inform those providers who are subject to the market oversight regime by virtue of regulations made under section 53(5) of the same.