

## STATUTORY INSTRUMENTS

# 2014 No. 2936

## The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014

### PART 4

#### Compliance and Offences

##### Offences

**22.**—(1) It is an offence for a registered person to fail to comply with any of the requirements in the following regulations, as read with regulation 8—

- (a) regulation 11,
- (b) regulation 16(3), <sup>F1</sup>...
- (c) regulation 17(3).
- <sup>F2</sup>(d) regulation 20(2)(a) and (3), or
- (e) regulation 20A.]

(2) A registered person commits an offence if the registered person fails to comply with a requirement of regulation 12, 13(1) to (4) or 14, as read with regulation 8, and such failure results in—

- (a) avoidable harm (whether of a physical or psychological nature) to a service user,
- (b) a service user being exposed to a significant risk of such harm occurring, or
- (c) in a case of theft, misuse or misappropriation of money or property, any loss by a service user of the money or property concerned.

<sup>F3</sup>(3) .....

(4) But it is a defence for a registered person<sup>F4</sup>... to prove that they took all reasonable steps and exercised all due diligence to prevent the breach of any of those regulations that has occurred.

##### Textual Amendments

- F1** Word in reg. 22(1)(b) omitted (1.4.2015) by virtue of [The Health and Social Care Act 2008 \(Regulated Activities\) \(Amendment\) Regulations 2015 \(S.I. 2015/64\)](#), regs. 1, **12(2)(a)**
- F2** Reg. 22(1)(d)(e) inserted (1.4.2015) by [The Health and Social Care Act 2008 \(Regulated Activities\) \(Amendment\) Regulations 2015 \(S.I. 2015/64\)](#), regs. 1, **12(2)(b)**
- F3** Reg. 22(3) omitted (1.4.2015) by virtue of [The Health and Social Care Act 2008 \(Regulated Activities\) \(Amendment\) Regulations 2015 \(S.I. 2015/64\)](#), regs. 1, **12(3)**
- F4** Words in reg. 22(4) omitted (1.4.2015) by virtue of [The Health and Social Care Act 2008 \(Regulated Activities\) \(Amendment\) Regulations 2015 \(S.I. 2015/64\)](#), regs. 1, **12(4)**

**Changes to legislation:**

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Section 22 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(4)(a)(xv) and word inserted by [S.I. 2024/374 Sch. 5 para. 23\(a\)\(ii\)](#)
- Sch. 1 para. 4(4)(g) inserted by [S.I. 2024/374 Sch. 5 para. 23\(b\)](#)
- Sch. 4A inserted by [S.I. 2022/15 reg. 4\(5\)](#) (This amendment not applied to Legislation.gov.uk - amending S.I. 2022/15 revoked on 15.3.2022 by S.I. 2022/206, reg. 3)
- reg. 12(3)-(3K) substituted for reg. 12(3)-(3D) by [S.I. 2022/15 reg. 4\(2\)](#) (This amendment not applied to Legislation.gov.uk - amending S.I. 2022/15 revoked on 15.3.2022 by S.I. 2022/206, reg. 3)