

KEELING SCHEDULE

The National Health Service (Licence Exemptions, etc.) Regulations 2013

Regulation 8

This Schedule includes only those amendments which amend existing provisions in regulation 8.

	<p>Regulation 8 (exemption from the requirement to hold a licence: applicable turnover)</p>
<p><u>Regulation 8</u> Deletion of existing paragraph (1) and insertion of new paragraph (1) and (1A).</p>	<p>(1) A person who provides health care services for the purposes of the NHS (P) is exempt from the requirement to hold a licence if their applicable turnover for the relevant business year is less than, or is reasonably expected to be less than, £10 million.</p> <p><u>A provider is exempt from the requirement to hold a licence if their applicable turnover in any twelve month period mentioned in paragraph (1A) is reasonably expected to be less than £10 million</u></p> <p><u>(1A) For the purposes of paragraph (1), a provider must estimate their applicable turnover for a twelve month period beginning:</u></p> <p><u>(a) on the day the provider starts providing NHS health care services;</u> <u>and</u> <u>(b) each month following the month in which the provider started providing NHS health care service</u></p>
<p>Deletion of paragraph (2).</p>	<p>(2) Where P's relevant business year is more or less than 12 months, P's applicable turnover is to be the applicable turnover in that business year divided by the number of complete months in that business year and multiplied by 12.</p>
<p>Amendment of paragraph (3).</p>	<p>(3) P <u>A provider</u> must notify Monitor as soon as reasonably practicable after P <u>the provider</u> becomes aware that the criterion laid down in paragraph (1) ceases to apply in relation to P <u>it</u>.</p>
<p>Deletion of paragraph (4).</p>	<p>(4) Where P ceases to meet the criterion laid down in paragraph (1), P is to be deemed to be aware that P ceases to meet that criterion on the day that P's accounts for the relevant business year are signed by P.</p>
<p>Amendment of paragraph (5).</p>	<p>(5) The exemption granted to <u>P a provider</u> under paragraph (1) is withdrawn from the earlier of—</p> <p>(a) the end of the period of 60 days starting on the date on which <u>P the provider</u> becomes aware that <u>Pit</u> ceases to meet the criterion laid down in that paragraph, or</p> <p>(b) the issuing by Monitor of a licence to <u>Pthe provider</u> under section 87(3) of the 2012 Act (grant or refusal of a licence).</p>

	<p>(6) In this regulation, “relevant business year” means the last business year in respect of which figures for P’s applicable turnover are available “provider” means a provider of health care services for the purposes of the NHS.</p>
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