

Changes to legislation: Health and Social Care Act 2012, Cross Heading: Community Care (Delayed Discharges etc.) Act 2003 (c. 5) is up to date with all changes known to be in force on or before 21 April 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. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

PART 1: AMENDMENTS OF OTHER ENACTMENTS

Community Care (Delayed Discharges etc.) Act 2003 (c. 5)

108 The Community Care (Delayed Discharges etc.) Act 2003 is amended as follows.

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Commencement Information

I1 Sch. 5 para. 108 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

109 In section 1 (meaning of “NHS body” and “qualifying hospital patient”) in subsection (1), in the definition of “NHS body” in paragraph (b) omit “a Primary Care Trust (in England) or”.

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Commencement Information

I2 Sch. 5 para. 109 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

110 In section 9 (dispute resolution)—

- (a) in subsection (1) omit “by Strategic Health Authorities in England and”,
- (b) at the end of that subsection insert “in relation to Wales”,
- (c) in subsection (2) omit —
 - (i) “Strategic Health Authority or”, and
 - (ii) “Authority or”,
- (d) in subsection (3)—
 - (i) for “the appropriate Minister considers” substitute “the Welsh Ministers consider”,
 - (ii) omit “a Strategic Health Authority or”, and
 - (iii) omit “Authority or”, and
- (e) in subsection (4)(a) omit “Strategic Health Authority or”.

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Commencement Information

I3 Sch. 5 para. 110 in force at 1.4.2013 by [S.I. 2013/160](#), **art. 2(2)** (with [arts. 7-9](#))

Changes to legislation:

Health and Social Care Act 2012, Cross Heading: Community Care (Delayed Discharges etc.) Act 2003 (c. 5) is up to date with all changes known to be in force on or before 21 April 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.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

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

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

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)