

2001 No. 1193 (C. 39)

SOCIAL CARE, ENGLAND

**The Care Standards Act 2000 (Commencement No. 4)
(England) Order 2001**

Made - - - - 15th March 2001

The Secretary of State for Health, in exercise of the powers conferred by section 122 of the Care Standards Act 2000(a) and all other powers enabling him in that behalf, hereby makes the following Order:

Citation and extent

1.—(1) This Order may be cited as the Care Standards Act 2000 (Commencement No. 4) (England) Order 2001.

(2) In this Order, any reference to a section is a reference to a section of the Care Standards Act 2000 and any reference to a Schedule is a reference to a Schedule to that Act.

(3) This Order extends to England only.

Appointed days

2.—(1) 16th March 2001 is the day appointed for the coming into force of—

- (a) paragraphs 1 and 6 of Schedule 1 (the Commission and the Councils), in so far as those paragraphs relate to the National Care Standards Commission;
- (b) section 6(3) (National Care Standards Commission), in so far as it relates to those paragraphs.

(2) 1st April 2001 is the day appointed for the coming into force of section 98 (individuals providing care funded by direct payments).

(3) 9th April 2001 is the day appointed for the coming into force of—

- (a) section 6, in so far as it is not already in force;
- (b) Schedule 1, in so far as it relates to the National Care Standards Commission and is not already in force.

Signed by authority of the Secretary of State for Health.

15th March 2001

John Hutton
Minister of State,
Department of Health

(a) 2000 c. 14. The powers are exercisable by the appropriate Minister. The appropriate Minister is defined in section 121(1), in relation to England, Scotland and Northern Ireland, as the Secretary of State, and in relation to Wales, as the National Assembly for Wales.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Care Standards Act 2000 (c. 14) (“the Act”) in relation to England only.

It brings into force on 16th March 2001, in relation to the National Care Standards Commission, paragraphs 1 and 6 of Schedule 1 to the Act, to enable regulations to be made concerning the membership and procedure of the Commission and its committees; and, in relation to those paragraphs, section 6(3) of the Act, which provides for the Schedule to have effect. It brings into force, on 9th April 2001, the rest of section 6 of the Act, which establishes the Commission as a corporate body, and the rest of Schedule 1 in so far as it relates to the Commission.

The Order also brings into force, on 1st April 2001, section 98 of the Act, which amends the Protection of Children Act 1999 (c. 14) (“the 1999 Act”). The amendments relate to the circumstances in which a local authority may refer an individual who is employed to provide care to a child funded by direct payments for inclusion in the list kept by the Secretary of State for the purposes of section 1 of the 1999 Act; and the circumstances in which an authority must check whether such an individual is included in any of the lists mentioned in section 7(1) of the 1999 Act.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Care Standards Act 2000 have been brought into force—

- (a) in relation to England (as well as Wales) by the Care Standards Act 2000 (Commencement No. 1) Order 2000 (S.I. 2000/2544); and
- (b) in relation to England by—
 - the Care Standards Act 2000 (Commencement No. 1 (England) and Transitional Provisions) Order 2000 (S.I. 2000/2795);
 - the Care Standards Act 2000 (Commencement No. 2 (England) and Transitional Provisions) Order 2001 (S.I. 2001/290); and
 - the Care Standards Act 2000 (Commencement No. 3) (England) Order 2001 (S.I. 2001/731).

Certain provisions have been brought into force in relation to Wales alone by the Care Standards Act 2000 (Commencement No. 1) (Wales) Order 2000 (S.I. 2000/2992) and by the Care Standards Act 2000 (Commencement No. 2 and Transitional Provisions) (Wales) Order 2001 (S.I. 2001/139).

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 23(1) to (3)	2nd March 2001	2001/731
Section 39 (partially)	19th February 2001	2001/290
Section 39 (in so far as not already in force)	19th March 2001	2001/290
Section 40 (partially)	15th October 2000	2000/2795
Section 40 (in so far as not already in force)	1st January 2001	2000/2795
Section 41	1st January 2001	2000/2795
Section 80(8) (partially)	2nd October 2000	2000/2544

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 94	2nd October 2000	2000/2544
Section 96 (partially)	15th September 2000	2000/2544
Section 96 (in so far as not already in force)	2nd October 2000	2000/2544
Section 99	15th September 2000	2000/2544
Section 100	2nd October 2000	2000/2544
Section 101	2nd October 2000	2000/2544
Section 103	2nd October 2000	2000/2544
Section 116 & Schedule 4 (partially)	2nd October 2000	2000/2544
Section 116 & Schedule 4 (partially)	1st January 2001	2000/2795
Section 117(2) & Schedule 6 (partially)	2nd October 2000	2000/2544

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