
STATUTORY INSTRUMENTS

2001 No. 4150

**The Care Standards Act 2000 (Commencement
No. 10 (England) and Transitional, Savings
and Amendment Provisions) Order 2001**

Amendment of the No. 9 Order

5.—(1) The No. 9 Order shall be amended in accordance with the following paragraphs of this article.

(2) In article 3 of the No. 9 Order, in paragraph (7)(i), after the words “Protection of Children Act” on the first and third occasions on which they occur, there shall be added “1999”.

(3) In Schedule 1 to the No. 9 Order—

(a) in paragraph 6(1), after the words “sub-paragraph (2)” there shall be added the words “or (2A)”;

(b) in paragraph 6, after sub-paragraph (2) there shall be inserted the following sub-paragraphs—

“(2A) This sub-paragraph applies where—

(a) the existing provider is an individual; and

(b) in the period commencing on 1st April 2001 and ending on 31st March 2002—

(i) the existing provider applied to be registered under Part I or II of the 1984 Act in respect of the existing undertaking, and his application for registration was granted; and

(ii) the authority received a police check in relation to the existing provider.

(2B) In sub-paragraph (2A)—

“police check” means a report, sent to the authority by, or by a person on behalf of, the chief officer of police or other member of a police force within the meaning of the Police Act 1996(1), which indicates that—

(a) in relation to the information provided about the existing provider, no record has been found of any police record relating to England or Wales; or

(b) the information provided about the existing provider appears identical with the person whose record is attached to the report.”;

(c) in paragraph 6(2)(a)(i), after the words “specified in” there shall be added the word “section”;

(d) in paragraph 6(3)(c)(i)(bb), the words “issued to the person” shall be omitted;

(e) in paragraph 11(3)(a), after the words “registered person” there shall be added the words “in writing before 13th November 2001”;

(f) in paragraph 14(9)(b), the words “(except for the purpose of making subordinate legislation)” shall be omitted;

(g) in paragraph 15(1)(a)(ii), the words “a children’s home, other than” shall be omitted.

(4) At the end of the Schedule 1 to the No. 9 Order, the following paragraph shall be added—

“Registered Homes Tribunal

16. Part III of the 1984 Act shall continue to have effect after 1st April 2002 in relation to any appeal to the Registered Homes Tribunal which—

(a) is commenced before 1st April 2002; or

(b) in accordance with this Schedule may be brought on or after 1st April 2002.”.

(5) In Schedule 2 to the No. 9 Order, in paragraph 2(b), after the word “categories” the word “of” shall be omitted.