

2002 No. 1790 (C. 55)

**CHILDREN AND YOUNG PERSONS, ENGLAND
PUBLIC HEALTH, ENGLAND
SOCIAL CARE, ENGLAND**

**The Care Standards Act 2000 (Commencement No. 15
(England) and Transitional Provisions) (Amendment)
Order 2002**

Made - - - - -

31st May 2002

The Secretary of State, in exercise of the powers conferred upon him by sections 118(5) to (7) and 122 of the Care Standards Act 2000(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, interpretation and extent

1.—(1) This Order may be cited as the Care Standards Act 2000 (Commencement No. 15 (England) and Transitional Provisions) (Amendment) Order 2002.

(2) In this Order—

“the No. 9 Order” means the Care Standards Act 2000 (Commencement No. 9 (England) and Transitional and Savings Provisions) Order 2001(b);

“the No. 10 Order” means the Care Standards Act 2000 (Commencement No. 10 (England) and Transitional, Savings and Amendment Provisions) Order 2001(c).

(3) This Order extends to England only.

Amendment of the No. 9 Order

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

(2) In article 3(5)(b)—

(a) in head (i)—

(i) the words “or 14(2)” shall be omitted;

(ii) for the words “1st July” there shall be substituted the words “1st September”;

(b) after head (i) there shall be inserted the following head—

“(ia) in the case of an application to which paragraph 14(2) of Schedule 1 applies, 1st June 2002”;

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

(b) S.I. 2001/3852. Relevant amending instrument is S.I. 2001/4150.

(c) S.I. 2001/4150.

- (c) in head (ii), for the words “1st July” there shall be substituted the words “1st September”.
- (3) In article 3(8), for the words “1st July” there shall be substituted the words “1st September”.
- (4) In Schedule 1, the words “1st September” shall be substituted for the words “1st July”—
- (a) in paragraph 2(6)(b);
 - (b) in paragraph 10(7) and (8), in each case on both occasions where they occur;
 - (c) in paragraph 14(8) and (9).
- (5) In Schedule 1, in paragraph 6—
- (a) in sub-paragraph (2)(a), for the words “1st June” there shall be substituted the words “1st August”;
 - (b) in sub-paragraph (3)(a), after the words “sub-paragraph (2)” there shall be inserted the words “, with the substitution of the words “1st September” for the words “1st August”,”(a);
 - (c) in sub-paragraphs (3)(b) and (c), for the words “1st July” there shall be substituted the words “1st September”.
- (6) In Schedule 1, in paragraph 13—
- (a) in sub-paragraph (2), for the words “1st July” there shall be substituted the words “1st September”;
 - (b) in sub-paragraph (5)(a), for the words “1st June”, “1st July” and “7th June” there shall be substituted respectively the words “1st August”, “1st September” and “5th August”;
 - (c) in sub-paragraph (5)(b), for the word “June” there shall be substituted the word “August”;
 - (d) in sub-paragraph (8)(b), for the words “1st July” on each occasion where they occur there shall be substituted the words “1st September”;
 - (e) in sub-paragraph (14)(b), for the words “1st July” and “30th June” there shall be substituted respectively the words “1st September” and “31st August”.
- (7) In Schedule 1, in paragraph 15(1)(b)(i) and (2)(b)(i), for the words “30th June” there shall be substituted the words “31st August”.

Amendment of the No. 10 Order

3. In article 3(4) of the No. 10 Order, for the words “1st July” there shall be substituted the words “1st September”.

Signed by authority of the Secretary of State for Health

31st May 2002

Jacqui Smith
Minister of State,
Department of Health

(a) The words “1st August” are inserted in paragraph 6(2)(a) by article 2(5)(a) of this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Care Standards Act 2000 (Commencement No. 9 (England) and Transitional and Savings Provisions) Order 2001 (“the No. 9 Order”), and the Care Standards Act 2000 (Commencement No. 10 (England) and Transitional, Savings and Amendment Provisions) Order 2001 (“the No. 10 Order”).

Under article 2, the day appointed for the coming into force of provisions of the Care Standards Act 2000 is altered from 1st July 2002 to 1st September 2002 in respect of the registration under that Act of residential family centres, domiciliary care agencies and nurses agencies. Consequential amendments are made to transitional provisions in the No. 9 Order in relation to such registration. A further consequential amendment is made to the No. 10 Order (article 3). The day appointed for the purpose of giving effect to determinations of certain applications made under the Children Act 1989 is brought forward to 1st June 2002 (article 2(2)(b)).

Article 2(5)(a) relates to persons who before 1st April 2002 were registered in respect of a residential care home or nursing home under the Registered Homes Act 1984. The No. 9 Order makes provision for the circumstances in which they will be treated as registered under the Care Standards Act 2000. This is subject to the provision that they will not be so treated unless they apply for criminal record certificates under the Police Act 1997 by 1st June 2002. Article 2(5)(a) amends this date to 1st August 2002.

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) (C. 72); and
 - the Care Standards Act 2000 (Commencement No. 11) Order 2002 (S.I. 2002/629) (C. 19);
- (b) in relation to England by—
 - the Care Standards Act 2000 (Commencement No. 1 (England) and Transitional Provisions) Order 2000 (S.I. 2000/2795) (C. 79);
 - the Care Standards Act 2000 (Commencement No. 2 (England) and Transitional Provisions) Order 2001 (S.I. 2001/290) (C. 17);
 - the Care Standards Act 2000 (Commencement No. 3) (England) Order 2001 (S.I. 2001/731) (C. 26);
 - the Care Standards Act 2000 (Commencement No. 4) (England) Order 2001 (S.I. 2001/1193) (C. 39);
 - the Care Standards Act 2000 (Commencement No. 5) (England) Order 2001 (S.I. 2001/1210) (C. 41);
 - the Care Standards Act 2000 (Commencement No. 6) (England) Order 2001 (S.I. 2001/1536) (C. 55);
 - the Care Standards Act 2000 (Commencement No. 7 (England) and Transitional, Transitory and Savings Provisions) Order 2001 (S.I. 2001/2041) (C. 68);
 - the Care Standards Act 2000 (Commencement No. 8) (England) Order 2001 (S.I. 2001/3331) (C. 109);
 - the Care Standards Act 2000 (Commencement No. 9 (England) and Transitional and Savings Provisions) Order 2001 (S.I. 2001/3852) (C. 125);
 - the Care Standards Act 2000 (Commencement No. 10 (England) and Transitional, Savings and Amendment Provisions) Order 2001 (S.I. 2001/4150) (C. 134);
 - the Care Standards Act 2000 (Commencement No. 12) (England) Order 2002 (S.I. 2002/1245) (C. 33);
 - the Care Standards Act 2000 (Commencement No. 13) (England) Order 2002 (S.I. 2002/839) (C. 22); and
 - the Care Standards Act 2000 (Commencement No. 14 (England) and Transitional, Savings and Amendment Provisions) Order 2002 (S.I. 2002/1493) (C. 43).

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 3 (partially)	20th November 2001	2001/3852
Sections 1 to 3 (partially)	1st January 2002	2001/3852
Sections 1 to 3 (in so far as they are not already in force)	1st April 2002	2001/3852
Section 4 (partially)	20th November 2001	2001/3852
Section 4 (partially)	1st January 2002	2001/3852
Section 4 (partially)	1st April 2002	2001/3852
Section 4 (partially)	1st July 2002	2001/3852
Section 5 (partially)	1st April 2002	2001/3852
Section 6(3) and Schedule 1 (partially)	16th March 2001	2001/1193
Section 6 and Schedule 1 (partially)	9th April 2001	2001/1193
Section 7	1st April 2002	2001/3852
Section 10 (partially)	1st April 2002	2001/3852
Section 11 (partially)	20th November 2001	2001/3852
Section 11 (in so far as not already in force)	1st April 2002	2001/3852
Section 12 (partially)	20th November 2001	2001/3852
Sections 12 and 13 (partially)	1st January 2002	2001/3852
Sections 12 and 13 (in so far as they are not already in force)	1st April 2002	2001/3852
Sections 14 to 16 (partially)	20th November 2001	2001/3852
Sections 14 to 16 (partially)	1st January 2002	2001/3852
Sections 14 to 16 (in so far as they are not already in force)	1st April 2002	2001/3852
Sections 17 to 20	1st April 2002	2001/3852
Section 21 (partially)	20th November 2001	2001/3852
Section 21 (in so far as not already in force)	1st April 2002	2001/3852
Section 22	20th November 2001	2001/3852
Section 23(1) to (3)	2nd March 2001	2001/731
Section 23(4) (partially)	1st January 2002	2001/3852
Section 23 (in so far as not already in force)	1st April 2002	2001/3852
Section 24	1st April 2002	2001/3852
Section 25 (partially)	20th November 2001	2001/3852
Section 25 (in so far as not already in force)	1st April 2002	2001/3852
Section 26	1st April 2002	2001/3852
Section 27 (partially)	1st January 2002	2001/3852
Section 27 (in so far as not already in force)	1st April 2002	2001/3852
Sections 28 to 30	1st April 2002	2001/3852
Section 31 (partially)	20th November 2001	2001/3852
Sections 31 and 32 (partially)	1st January 2002	2001/3852
Sections 31 and 32 (in so far as they are not already in force)	1st April 2002	2001/3852
Sections 33 to 36 (partially)	20th November 2001	2001/3852

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 33 to 36 (in so far as they are not already in force)	1st April 2002	2001/3852
Section 37	1st April 2002	2001/3852
Section 38	20th November 2001	2001/3852
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
Sections 43, 45(4), 48, 49, 50, 51 and 52 (partially)	20th November 2001	2001/3852
Sections 43(1), (2), (3)(b), 44, 45, 46(1) to (6), (7)(a) and (b) and (8), and 47 to 53 (partially)	1st April 2002	2001/3852
Section 54 and Schedule 1 (partially)	10th April 2001	2001/1536
Section 54 and Schedule 1 (partially)	7th May 2001	2001/1536
Section 54 (partially)	25th March 2002	2002/1245
Section 55 (partially)	7th May 2001	2001/1536
Section 55 (partially)	25th March 2002	2002/1245
Section 59 (partially)	7th May 2001	2001/1536
Section 60 (partially)	7th May 2001	2001/1536
Section 62 (partially)	7th May 2001	2001/1536
Section 62 (partially)	25th March 2002	2002/1245
Section 63 (partially)	7th May 2001	2001/1536
Section 63 (partially)	25th March 2002	2002/1245
Section 65 (partially)	7th May 2001	2001/1536
Section 66 (partially)	7th May 2001	2001/1536
Section 66 (partially)	25th March 2002	2002/1245
Section 67 (partially)	25th March 2002	2002/1245
Section 70(1) (partially)	25th March 2002	2002/1245
Section 71 (partially)	7th May 2001	2001/1536
Section 71 (partially)	25th March 2002	2002/1245
Section 79 and Schedule 3 (partially)	16th March 2001	2001/1210
Section 79 (partially) and Schedule 3 (in so far as not already in force)	2nd July 2001	2001/2041
Section 79(1) (partially)	2nd September 2002	2001/2041
Section 79(1) (partially)	1st April 2002	2002/839
Section 80(8) (partially)	2nd October 2000	2000/2544
Section 94	2nd October 2000	2000/2544
Section 95	1st April 2002	2002/1493
Section 96 (partially)	15th September 2000	2000/2544
Section 96 (in so far as not already in force)	2nd October 2000	2000/2544
Section 98	1st April 2001	2001/1193

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 99	15th September 2000	2000/2544
Section 100	2nd October 2000	2000/2544
Section 101	2nd October 2000	2000/2544
Section 102	18th March 2002	2002/629
Section 103	2nd October 2000	2000/2544
Section 104 (partially)	18th March 2002 and 1st April 2002	2002/629
Sections 105(1) to (4), 107 and 108 (partially)	20th November 2001	2001/3852
Sections 105 to 110 (in so far as they are not already in force)	1st April 2002	2001/3852
Section 111 (partially)	1st July 2002	2001/3852
Section 112	4th October 2001	2001/3331
Section 113(1), (3) and (4) (partially)	25th March 2002	2002/1245
Sections 114 and 115	16th March 2001	2001/1210
Section 116 and Schedule 4 (partially)	2nd October 2000	2000/2544
Section 116 and Schedule 4 (partially)	1st January 2001	2000/2795
Section 116 and Schedule 4 (partially)	2nd July 2001	2001/2041
Section 116 and Schedule 4 (partially)	1st April 2002	2001/3852
Section 116 and Schedule 4 (partially)	1st April 2002	2001/4150
Section 116 and Schedule 4 (partially)	1st April 2002	2002/1493
Section 117(2) and Schedule 6 (partially)	2nd October 2000	2000/2544
Section 117(2) and Schedule 6 (partially)	4th October 2001	2001/3331
Section 117(2) and Schedule 6 (partially)	1st April 2002 and 1st July 2002	2001/3852
Section 117(2) and Schedule 6 (partially)	1st April 2002 and 1st July 2002	2001/4150

Certain provisions of the Act have been brought into force in relation to Wales only, by the following statutory instruments—

- S.I. 2000/2992 (W. 192) (C. 93)
- S.I. 2001/139 (W. 5) (C. 7)
- S.I. 2001/2190 (W. 152) (C. 70)
- S.I. 2001/2354 (W. 192)(C. 80)
- S.I. 2001/2504 (W. 205) (C. 82)
- S.I. 2001/2538 (W. 213)(C. 83)
- S.I. 2001/2782 (W. 235) (C. 92).

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Order 2002

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