
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes further amendments to 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”).

The day appointed for the coming into force of certain provisions of the Care Standards Act 2000, in respect of the registration under that Act of residential family centres, domiciliary care agencies and nurses agencies, is altered from 1st September 2002 to 1st January 2003 (article 2(2)). Consequential amendments are made to transitional provisions in the No. 9 Order in relation to such registration (article 2(3)(a),(e)(iii),(f) to (h)). A further consequential amendment is made to the No. 10 Order (article 4).

Article 2(3) also amends provisions in the No. 9 Order relating 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, or who are authorised to carry on a nurses agency under the Nurses Agencies Act 1957. Under the No. 9 Order, in certain circumstances 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 August 2002 or 1st September 2002 and, in the case of a nurses agency, provide certain other information to the National Care Standards Commission by 1st September 2002. Article 2(3) removes this provision and, with article 3, makes consequential amendments to the No. 9 Order.