
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2001 as amended (“the 2001 Regulations”) which prescribe the fees that are to be paid by establishments and agencies, other than voluntary adoption agencies, under Part II of the Care Standards Act 2000 (“the Act”)—

- (a) on an application for registration in respect of an establishment or agency (regulation 3); and
- (b) on an application for the variation or removal of any condition for the time being in force in relation to the registration (regulation 4).

In addition, regulation 5 prescribes the annual fee that is to be paid in respect of certain establishments and agencies under section 16(3) of the Act, the annual fee that is to be paid by a local authority fostering service under section 51(1) of the Act and the annual fee that is to be paid by boarding schools, residential special schools and residential colleges under section 87D of the Children Act 1989.

Regulation 6 prescribes the frequency of inspections of premises used for the purposes of certain establishments and agencies and of premises used for the purposes of a local authority fostering service.

The amendments made to the 2001 Regulations—

- (a) provide for an increase in the fees to be paid by establishments and agencies other than nurses agencies, domiciliary care agencies and residential family centres, with effect from 1st April 2003; and
- (b) in relation to nurses agencies—
 - (i) provide for when the annual fee will be payable where a local authority determines an application for a licence under the Nurses Agencies Act 1957 between 1st January 2003 and 31st March 2003; and
 - (ii) provide for a smaller fee to be paid in respect of a nurses agency which is a small agency and falls within article 4(1) of the Care Standards Act 2000 (Commencement and Transitional Provisions) (Amendment No. 2) (England) Order 2002 ([S.I. 2002/3210](#)).

The 2001 Regulations are revoked by regulation 7.

A Regulatory Impact Assessment has been prepared for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from the Department of Health’s website www.doh.gov.uk/regulatoryimpact/index.htm. In addition, a copy can be obtained from Room 628, Wellington House, 133–155 Waterloo Road, London, SE1 8UG.