
EXPLANATORY NOTE

(This note is not part of the Order)

This is the ninth Commencement Order under the Health and Social Care (Community Health and Standards) Act 2003 (“the Act”).

Article 2 commences section 105(3) to (7) of the Act which contains amendments to the Care Standards Act 2000 (“the 2000 Act”) consequential on the Commission for Healthcare Audit and Inspection (“the CHAI”) having responsibility for setting their own fees under section 113A of the 2000 Act. It commences section 105(6) of the Act on 27th June 2006 for the purpose of making regulations prescribing the date of payment of annual fees. It commences that section for all purposes, together with sections 105(3) to (5) and (7), of the Act on 1st August 2006 which is the date when the CHAI is to introduce its fees scheme under section 105(2). Article 4 contains transitional provisions in relation to the 2000 Act which will apply until such time as section 105(2) of the Act is commenced in relation to the CSCI.

Article 3 commences on 1st September 2006 sections 113(1), (3) and (4), 114(1), (2) (5) and (6) and 115 (complaints about health care, social services and supplementary provision) of the Act. It commences the repeal of section 7B of the Local Authority Social Services Act 1970 under which the Secretary of State had required, by Order, local authorities to establish complaints procedures.