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STATUTORY INSTRUMENTS

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**2006 No. 2817 (C. 96)**

**FOOD**  
**NATIONAL HEALTH SERVICE,**  
**ENGLAND AND WALES**

The Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 10) Order 2006

*Made* - - - - *23rd October 2006*

The Secretary of State for Health makes the following order in exercise of the powers conferred by section 199(1) of the Health and Social Care (Community Health and Standards) Act 2003(1):

**Citation and interpretation**

1. This Order may be cited as the Health and Social Care (Community Health and Standards) Act 2003 (Commencement) (No. 10) Order 2006.

**Appointed day**

2. 27<sup>th</sup> October 2006 shall be the day appointed for the coming into force of the following provisions of the Health and Social Care (Community Health and Standards) Act 2003—

- (a) section 185 of the Act in so far as not in force; and
- (b) in Schedule 14 of the Act (repeals and revocations), the repeal in Part 4 (dental and medical services) relating to section 2(1)(f) of the Health Service Commissioners Act 1993(2) (Dental Practice Board subject to investigation) and section 196 (repeals and revocations) in so far as it relates to that repeal.

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(1) 2003 c. 43. Section 199(2) defines the “appropriate authority”.  
(2) 1993 c. 46.

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Signed by authority of the Secretary of State for Health

23rd October 2006

*Caroline Flint*  
Minister of State  
Department of Health

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the tenth commencement order under the Health and Social Care (Community Health and Standards) Act 2003<sup>(3)</sup> (“the Act”).

Article 2(a) brings into force on 27<sup>th</sup> October 2006 section 185 of the Act (replacement of the Welfare Food Schemes: Great Britain) for the purposes of providing powers for the National Assembly for Wales to make regulations prescribing descriptions of food and giving directions under section 13(6) of the Social Security Act 1988<sup>(4)</sup>. Article 2(b) brings into force on that day the repeal of section 2(1) (f) of the Health Service Commissioners Act 1993<sup>(5)</sup> (the bodies subject to investigation) relating to the Dental Practice Board.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The provisions of the Health and Social Care (Community Health and Standards) Act 2003 listed in the table below have been brought into force by a commencement order made before the date of this Order. Except where indicated, the provision has been commenced in relation to England and Wales.

<i>Date of Commencement</i>	<i>S.I. No</i>	
Section 1	1.4.2004	2004/759
<del>Sec 2004</del> 2 to 4	2003/3346	
<del>Sec 2004</del> 5 to 20	2004/759	
<del>Sec 2004</del> 22 to 35	2004/759	
<del>Sec 2004</del> 36	2003/3346	
<del>Sec 2004</del> 37 to 39	2004/759	

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(3) 2003 c. 43.

(4) 1988 c. 7.

(5) 1993 c. 46.

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<i>Date of Commencement</i>	<i>S.I. No</i>
<del>Sec 2004</del> 40	2003/3346
<del>Sec 2004</del> 41	2003/3346
<del>Sec 2004</del> 42	2003/3346
<del>Sec 2004</del> 43	2004/759
<del>Sec 2004</del> 44 to 46	2004/759
<del>Sec 2004</del> 48 and 49	2004/759
<del>Sec 2006</del> (partially) 50(1) 1.4.2007 (partially)  1.4.2008 (remainder)	2004/759(6) as amended by 2006/836
<del>Sec 2005</del> 50(2) and (3)	2004/759
<del>Sec 2006</del> 50(4)	2004/759(7) as amended by 2006/836
<del>Sec 2004</del> 50(5)	2004/759
<del>Sec 2004</del> 51(1) to (3), (5) and (6)	2004/759
<del>Sec 2005</del> 51(4)	2004/759
<del>Sec 2004</del> 52(1) to (4), (6)	2004/759

(6) S.I.2004/759 is amended by S.I. 2006/836.

(7) S.I.2004/759 is amended by S.I. 2006/836.

<i>Date of Commencement</i>	<i>S.I. No</i>
and (7)	
<del>Section 52(5)</del>	2004/759
<del>Section 53</del> (remainder)	2004/759
<del>Section 54</del> to 56	2004/759
<del>Section 57</del> (remainder)	2004/759
<del>Section 60</del> and 61	2004/759
<del>Section 64</del> to 68	2004/759
<del>Section 76</del> to 84	2004/759
<del>Section 85</del> as to England	2005/457
<del>Section 86</del> as to England	2005/2925(8)
<del>Section 87</del> to 91	2004/759
<del>Section 102</del> to 104	2004/759
<del>Section 105(1)</del> (partially)	2005/ 2925

(8) S.I.2005/2925 is amended by S.I. 2006/836.

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<i>Provisions</i>	<i>Commencement</i>	<i>S.I. No</i>
and (2)		
<del>Section 105(1)</del> and (6) as to England	2006/1680	2006/1680
<del>Section 105(1)</del> and (6)  England and Wales	2006/1680	2005/2925(9)
<del>Section 105(3)</del> to (7)	2006/1680	
<del>Section 105(3)</del> to (5) and (7)  England and Wales	2006/1680	
<del>Section 105(6)</del> as to England	2006/1680	
<del>Section 106</del>	2004/759	
<del>Section 108</del>	2004/759	
<del>Section 110</del>	2004/759	

(9) Article 2(2) of the [Health and Social Care \(Community Health and Standards\) Act 2003 Commencement \(No. 8\) Order 2005, S.I. 2005/ 2925 \(C. 125\)](#) (appointed day for provisions relating to fees) was revoked by Article 3 of the [Health and Social Care \(Community Health and Standards\) Act 2003 Commencement \(No 3 and No 8\) \(Amendment\) Order 2006, S.I. 2006/836 \(C. 22\)](#) (amendment of the No. 8 Order) on 20 March 2006.

<i>Date of Commencement</i>	<i>S.I. No</i>
and 111	
<del>Section</del> 112	2004/759
<del>Section</del> 113(1), (3) and (4) as to England	2006/1680
<del>Section</del> 114(1), (2), (5) and (6) as to England	2006/1680
<del>Section</del> 115 as to England	2006/1680
<del>Section</del> 117	2005/38
<del>Section</del> 12.05 (remainder) to England	2005/2925
<del>Section</del> 118 and 119	2004/759
<del>Section</del> 120 and 121	2004/759
<del>Section</del> 123 to 141	2004/759
<del>Section</del> 146	2004/759
<del>Section</del> 147 (partially)	2003/3346

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<i>Date of Commencement</i>	<i>S.I. No</i>
as to England	
<del>Section 147</del> 2004 (partially)	2003/3346
<del>Section 147</del> 2004 (partially), 1.4.2004 (partially) and 1.6.2004 (partially)	2004/759
<del>Section 148</del> 2004	2003/3346
<del>Section 174</del> 2004 (partially) and 4.2004 (remainder) to England	2004/288(10)
<del>Section 170</del> 2006 (partially) and 2006 (remainder) as to England	2005/2925
<del>Section 171</del> 2006 (partially) and 2006 (remainder) as to England	2005/2925
<del>Section 171</del> 2006 171(2) as to England	2005/2925
<del>Section 172</del> 2005 (partially) and 2006 (remainder) as to England	2005/2925
<del>Section 172</del> 2006 172(2) as to England	2005/2925
<del>Section 173</del> 2005 173 as	2005/2925

(10) S.I.2004/288 is amended by S.I.2004/866.



<i>Date of Commencement</i>	<i>S.I. No</i>
to England	
<del>Sec. 2004</del> (partially) 175(1) as to England	2004/288
<del>Sec. 2004</del> 175(1)	2004/288
<del>Sec. 2004</del> (remainder) 175 as to England	2004/288
<del>Sec. 2004</del> 176 as to England	2004/288
<del>Sec. 2004</del> (partially) and <del>173.2004</del> (partially) and (2) 2.2005 (remainder) as to England	2004/288 2005/2925
<del>Sec. 2004</del> (partially) 177(3) th 12.2005 (remainder) (11) as to England	2004/288 2005/2925
<del>Sec. 2004</del> (partially) 177(12) as 4.2006 (remainder) to England	2004/288 2005/2925
<del>Sec. 2004</del> (partially) 178 as 4.2006 (remainder) to England	2004/288 2005/2925
<del>Sec. 2004</del> (partially) 179(1) as 12.2005 (remainder)	2004/288 2005/2925

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<i>Date of Commencement</i>	<i>S.I. No</i>
to England	
<del>Sec. 179(2)</del>	2004/288
as to England	
<del>Sec. 180</del> (partially)	2004/288
as 1.2006 (remainder)	2005/2925
to England	
<del>Sec. 181</del>	2005/2925
<del>Sec. 182(1)</del>	2005/2925
as to England	
<del>Sec. 183</del> (partially) and as 1.2006 (remainder)	2005/2925
to England	
<del>Sec. 184</del> (partially), 1.3.2004 (partially) and 1.4.2004 (partially)	2004/288
to England	
<del>Sec. 185</del> (partially)	2005/38
1.12.2005 (partially)	2005/2925
1.4.2006 (partially)	2005/2925
<del>Sec. 186</del> (partially) and 7.10.05 (partially)	2005/2278
<del>Sec. 187</del> and 188	2004/2626
<del>Sec. 189(1)</del>	2004/759
<del>Sec. 190</del>	2005/457
<del>Sec. 191</del> (partially) and 196.2004 (partially)	2004/288
as	

<i>Date of Commencement</i>	<i>S.I. No</i>
to England	
<del>Section 196</del> (partially)	2004/759
<del>Section 196</del> (partially)	2005/38
<del>Section 196</del> (partially)	2005/457
<del>Section 196</del> (partially)	2005/2278
<del>Schedule 1</del>	2004/759
<del>Schedule 2</del>	2003/3346
<del>Schedules 3</del>	2004/759
to 5	
<del>Schedule 6</del>	2003/3346
<del>Schedule 7</del>	2003/3346
<del>Schedule 8</del>	2004/759
Schedule 9	
<del>Paragraph 8.1.2004</del> (partially) and <del>Paragraph 8.1.2004</del> (partially)	2003/3346
<del>Paragraph 2</del>	2004/759
<del>Paragraph 8.1.2004</del> (partially) and <del>Paragraph 8.1.2004</del> (partially) and 5 to 8	2003/3346
<del>Paragraph 9</del>	2004/759
<del>Paragraph 10</del>	2004/759
<del>Paragraph 11</del>	2004/759
<del>Paragraph 12</del>	2004/759
<del>Paragraph 14</del>	2004/759

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<i>Date of Commencement</i>	<i>S.I. No</i>
Paragraph 16 1.4.2004 (remainder)	2004/759
Paragraphs 17 to 22	2004/759
Paragraph 23(a)	2004/759
Paragraph 23(b)	2004/759
Paragraphs 24 to 26	2004/759
Paragraph 27 and 1.4.2004 (remainder)	2004/759
Paragraphs 28 to 30	2004/759
Paragraph 31 (partially) and 31.2004 (partially)	2003/3346
Paragraph 32 Schedule 11	2004/759
Paragraph 1	2004/288
Paragraph 2 (partially) 1.4.2006 (remainder)	2004/288 2005/2925
Paragraph 3(1), (2), (a) and (3) to (5)	2004/288
Paragraph 3 (remainder)	2005/2925
Paragraph 4	2004/288

<i>Date of Commencement</i>	<i>S.I. No</i>
to 6	
Paragraph (partially), 1.3.2004 (partially) and 1.4.2004 (partially)	2004/288  2005/2925
1.12.2005 (partially) and 1.4.2006 (partially)	
Paragraph 8	2004/288
Paragraph 9	2004/288
Paragraphs 12 and 13	2004/288
Paragraph (partially) 14	2004/288
and 1.2.2005 (remainder) 15	2005/2925
Paragraph (partially) 16 and 17	2004/288
Paragraph (partially) 20	2004/288
Paragraph (partially) 21(1) and (3)	2004/288
Paragraph (partially) 22	2004/288
Paragraph (partially) and 23.2004 (partially)	2004/288  2005/2925
1.12.2005 (partially)	
Paragraph (remainder) 17	2005/2925
to 23	
Paragraph 24(a)	2004/288
Paragraph 24(b)	2005/2925

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<i>Division</i>	<i>Commencement</i>	<i>S.I. No</i>
Paragraph 25		2004/288
Paragraph 26	(partially)	2004/759
Paragraph 26	(remainder)	2004/288
Paragraph 27		2004/288
Paragraphs 28 to 35		2005/2925
Paragraph 36(a)		2004/288
Paragraph 36(b)		2005/2925
Paragraph 37		2004/288
Paragraph 38		2004/288
Paragraph 39		2005/2925
Paragraph 41		2005/2925
Paragraphs 42 to 44		2004/288
Paragraph 46(1), (2) (b) and (3) (b) and (c)		2005/2925
Paragraphs 47 to 49		2004/288
Paragraph 50		2005/2925

<i>Date of Commencement</i>	<i>S.I. No</i>
Paragraphs 51 and 52	2004/288
Paragraph (partially) 53	2004/288
Paragraphs 53 and 54	2005/2925
Paragraphs 55 to 59	2004/288
Paragraph (partially) 60	2004/288
1.4.2006 (remainder)	2005/2925
Paragraph 61	2005/2925
Paragraphs 62 and 63	2004/288
Paragraph 64	2005/2925
Paragraphs 65 and 67(a)	2004/288
Paragraph 66	2005/2925
Paragraph 67(b)	2005/2925
Paragraph 68	2005/38
Paragraph (partially) 69	2005/2925
1.4.2006 (remainder)	
Paragraphs 70, 71, 73 and 74	2004/288

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<i>Date of Commencement</i>	<i>S.I. No</i>
Paragraph 72	2005/2925
Schedule 1	2004/2626
Schedule 4 (partially) and Schedule 4.2004 (partially)	2004/288
to England	2005/38
Schedule 1 (partially)	2005/2925
1.12.2005 (partially) and 1.4.2006 (partially)	2006/1680
1.9.2006 (partially)	
Schedule 4 (partially)	2004/759
1.4.2005 (partially)	2005/457
1.12.2005 (partially)	2005/2925
1.4.2006 (partially)	2005/2925