

2008 No. 1334 (C. 60)

PUBLIC HEALTH

**The Health and Social Care (Community Health and Standards)
Act 2003 (Commencement No. 12) Order 2008**

Made - - - -

21st May 2008

The Secretary of State for Health makes this Order in exercise of the powers conferred by section 199(1) of the Health and Social Care (Community Health and Standards) Act 2003^(a).

Citation

1. This Order may be cited as the Health and Social Care (Community Health and Standards) Act 2003 (Commencement No.12) Order 2008.

Appointed day for provision relating to arrangements between the Commission for Healthcare Audit and Inspection and Ministers

2. 2nd June 2008 is the appointed day for the coming into force of section 124 of the Health and Social Care (Community Health and Standards) Act 2003 (arrangements with Ministers etc: CHAI) in so far as it is not already in force^(b).

Signed by authority of the Secretary of State for Health

21st May 2008

Ben Bradshaw
Minister of State
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This order is the twelfth commencement order under the Health and Social Care (Community Health and Standards) Act 2003 (“the Act”). It provides for the coming into force of section 124 of the Act in so far as it is not already in force. This has the effect of bringing section 124 into force in relation to Scotland and Northern Ireland. Section 124 provides for arrangements to be made between the Commission for Healthcare Audit and Inspection (CHAI) and Ministers for CHAI to perform functions in relation to a health and medical scheme paid for out of public funds or which correspond to functions of CHAI and relate to the Northern Irish health service.

(a) 2003 c.43. (“the 2003 Act”). Section 199(2) defines the “appropriate authority”.

(b) S.I 2004/759 commenced section 124 of the 2003 Act fully in relation to England and Wales; section 124 also extends to Scotland and Northern Ireland (see section 202 of the 2003 Act) .

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>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1	1.4.2004	2004/759
Sections 2 to 4	1.1.2004	2003/3346
Sections 5 to 20	1.4.2004	2004/759
Sections 22 to 35	1.4.2004	2004/759
Section 36	1.1.2004	2003/3346
Sections 37 to 39	1.4.2004	2004/759
Section 40	1.1.2004	2003/3346
Section 41	8.1.2004	2003/3346
Section 42	1.1.2004	2003/3346
Section 43	11.3.2004	2004/759
Sections 44 to 46	1.4.2004	2004/759
Sections 48 and 49	1.4.2004	2004/759
Section 50(1)	1.4.2004 (partially) and 1.4.2006 (partially) 1.4.2007 (partially) 1.4.2008 (remainder)	2004/759(a)
Section 50(2) and (3)	1.4.2005	2004/759
Section 50(4)	1.4.2006	2004/759(b)
Section 50(5)	1.4.2004	2004/759
Section 51(1) to (3), (5) and (6)	1.4.2004	2004/759
Section 51(4)	1.4.2005	2004/759
Section 52(1) to (4), (6) and (7)	1.4.2004	2004/759
Section 52(5)	1.4.2005	2004/759
Section 53	1.4.2004 (remainder)	2004/759
Sections 54 to 56	1.4.2004	2004/759
Section 57	1.4.2004 (remainder)	2004/759
Sections 60 and 61	1.4.2004	2004/759
Sections 64 to 68	1.4.2004	2004/759
Sections 76 to 84	1.4.2004	2004/759
Section 85 as to England	1.4.2005	2005/457
Section 86 as to England	30.10.2005	2005/2925(c)
Sections 87 to 91	1.4.2004	2004/759
Sections 102 to 104	1.4.2004	2004/759
Section 105(1) and (2)	30.10.2005 (partially)	2005/ 2925
Section 105(1) and (6) as to England	27.6.2006 (partially)	2006/1680
Section 105(1) and (6)	1.8.2006 (remainder)	2006/1680
Section 105(3) to (5) and (7)	1.8.2006	2006/1680
Section 106	1.4.2004	2004/759
Section 108	1.4.2004	2004/759

(a) S.I.2004/759 is amended by S.I. 2006/836 and 2007/1102.

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

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

Sections 110 and 111	1.4.2004	2004/759
Section 112	11.3.2004	2004/759
Section 113(1), (3) and (4) as to England	1.9.2006	2006/1680
Section 114(1), (2), (5) and (6) as to England	1.9.2006	2006/1680
Section 115 as to England	1.9.2006	2006/1680
Section 117 as to England	17.1.2005 (partially) 30.12.05 (remainder)	2005/38 2005/2925
Sections 118 and 119	1.6.2004	2004/759
Sections 120 and 121	1.4.2004	2004/759
Sections 123 to 141	1.4.2004	2004/759
Section 146	1.4.2004	2004/759
Section 147 as to England	1.1.2004 (partially)	2003/3346
Section 147	8.1.2004 (partially)	2003/3346
Section 147	11.3.2004 (partially), 1.4.2004 (partially) and 1.6.2004 (partially)	2004/759
Section 147	15.1.2007 (partially)	2006/3397
Section 148	1.1.2004	2003/3346
Section 150(1) to (7) and (10) to (14)	28.1.2007 (remainder)	2006/3397
Section 151	29.1.2007 (remainder)	2006/3397
Section 152	29.1.2007	2006/3397
Section 153	29.1.2007 (remainder)	2006/3397
Sections 154 and 155	29.1.2007	2006/3397
Sections 156 to 158	29.1.2007 (remainder)	2006/3397
Section 159	29.1.2007	2006/3397
Section 160	29.1.2007 (remainder)	2006/3397
Section 161	29.1.2007	2006/3397
Sections 162 to 164	29.1.2007 (remainder)	2006/3397
Sections 166 to 169	29.1.2007	2006/3397
Section 170 as to England	1.1.2006 (partially) and 1.4.2006 (remainder)	2005/2925
Section 171(1) as to England	1.1.2006 (partially) and 1.4.2006 (remainder)	2005/2925
Section 171(2) as to England	1.4.2006	2005/2925
Section 172(1) as to England	1.12.2005 (partially) and 1.1.2006 (remainder)	2005/2925
Section 172(2) as to England	1.4.2006	2005/2925
Section 173 as to England	1.12.2005	2005/2925
Section 174 as to England	1.3.2004 (partially) and 1.4.2004 (remainder)	2004/288(a)
Section 175(1) as to England	3.2.2004 (partially)	2004/288
Section 175(1)	1.3.2004	2004/288
Section 175 as to England	1.4.2004 (remainder)	2004/288
Section 176 as to England	3.2.2004	2004/288
Section 177(1) and (2) as to England	3.2.2004 (partially) and 1.3.2004 (partially)	2004/288 2005/2925
	1.12.2005 (remainder)	
Section 177(3) to (11) as to England	1.3.2004 (partially) 1.12.2005 (remainder)	2004/288 2005/2925

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

Section 177(12) as to England	1.4.2004 (partially) 1.4.2006 (remainder)	2004/288 2005/2925
Section 178 as to England	1.4.2004 (partially) 1.4.2006 (remainder)	2004/288 2005/2925
Section 179(1) as to England	3.2.2004 (partially) 1.12.2005 (remainder)	2004/288 2005/2925
Section 179(2) as to England	3.2.2004	2004/288
Section 180 as to England	1.3.2004 (partially) 1.1.2006 (remainder)	2004/288 2005/2925
Section 181	1.4.2006	2005/2925
Section 182(1) as to England	1.12.2005	2005/2925
Section 183 as to England	1.11.2005 (partially) and 1.4.2006 (remainder)	2005/2925
Section 184 as to England	3.2.2004 (partially), 1.3.2004 (partially) and 1.4.2004 (partially) 17.1.2005 (partially) 1.12.2005 (partially) 1.4.2006 (partially)	2004/288 2005/38 2005/2925 2005/2925
Section 185	12.8.05 (partially), 7.10.05 (partially) and 27.10.06 (remainder)	2005/2278 2006/2817
Sections 187 and 188	19.10.2004	2004/2626
Section 189(1)	1.4.2004	2004/759
Section 190	1.4.2005	2005/457
Section 196 as to England	1.3.2004 (partially) and 1.4.2004 (partially)	2004/288
Section 196	1.4.2004 (partially)	2004/759
Section 196	17.1.2005 (partially)	2005/38
Section 196	1.4.2005 (partially)	2005/457
Section 196	7.10.2005 (partially)	2005/2278
Section 196	27.10.06 (partially)	2006/2817
Section 196	29.1.2007 (partially)	2006/3397
Schedule 1	1.4.2004	2004/759
Schedule 2	1.1.2004	2003/3346
Schedules 3 to 5	1.4.2004	2004/759
Schedule 6	8.1.2004	2003/3346
Schedule 7	1.1.2004	2003/3346
Schedule 8	11.3.2004	2004/759
Schedule 9		
Paragraph 1	1.1.2004 (partially) and 8.1.2004 (partially)	2003/3346
Paragraph 2	1.4.2004	2004/759
Paragraphs 3 and 5 to 8	1.1.2004 (partially) and 8.1.2004 (partially)	2003/3346
Paragraph 9	1.6.2004	2004/759
Paragraph 10	1.4.2004	2004/759
Paragraph 11	1.6.2004	2004/759
Paragraph 12	1.4.2004	2004/759
Paragraph 14	1.4.2004	2004/759
Paragraph 15	15.1.2007	2006/3397
Paragraph 16	11.3.2004 (partially) and 1.4.2004 (remainder)	2004/759
Paragraphs 17 to 22	1.4.2004	2004/759
Paragraph 23(a)	1.4.2004	2004/759

Paragraph 23(b)	11.3.2004 (partially)	2004/759
Paragraphs 24 to 26	1.4.2004	2004/759
Paragraph 27	11.3.2004 (partially) and 1.4.2004 (remainder)	2004/759
Paragraphs 28 to 30	1.4.2004	2004/759
Paragraph 31	1.1.2004 (partially) and 8.1.2004 (partially)	2003/3346
Paragraph 32	1.4.2004	2004/759
Schedule 10	29.1.2007 (remainder)	
Schedule 11		
Paragraph 1	1.4.2004	2004/288
Paragraph 2	1.4.2004 (partially) 1.4.2006 (remainder)	2004/288 2005/2925
Paragraph 3(1), (2)(a) and (3) to (5)	1.4.2004 (partially)	2004/288
Paragraph 3	1.4.2006 (remainder)	2005/2925
Paragraphs 4 to 6	1.4.2004	2004/288
Paragraph 7	3.2.2004 (partially), 1.3.2004 (partially) and 1.4.2004 (partially) 1.12.2005 (partially) and 1.4.2006 (partially)	2004/288 2005/2925
Paragraph 8	1.3.2004	2004/288
Paragraph 9	1.4.2004	2004/288
Paragraphs 12 and 13	1.4.2004	2004/288
Paragraphs 14 and 15	1.3.2004 (partially) 1.12.2005 (remainder)	2004/288 2005/2925
Paragraphs 16 and 17	1.3.2004 (partially)	2004/288
Paragraph 20	1.4.2004 (partially)	2004/288
Paragraph 21(1) and (3)	1.4.2004 (partially)	2004/288
Paragraph 22	1.4.2004 (partially)	2004/288
Paragraph 23	3.2.2004 (partially) and 1.4.2004 (partially) 1.12.2005 (partially)	2004/288 2005/2925
Paragraphs 17 to 23	1.4.2006 (remainder)	2005/2925
Paragraph 24(a)	1.4.2004	2004/288
Paragraph 24(b)	1.4.2006	2005/2925
Paragraph 25	1.4.2004	2004/288
Paragraph 26	11.3.2004 (partially)	2004/759
Paragraph 26	1.4.2004 (remainder)	2004/288
Paragraph 27	1.4.2004	2004/288
Paragraphs 28 to 35	1.4.2006	2005/2925
Paragraph 36(a)	1.4.2004	2004/288
Paragraph 36(b)	1.4.2006	2005/2925
Paragraph 37	1.4.2004	2004/288
Paragraph 38	3.2.2004	2004/288
Paragraph 39	1.12.05	2005/2925
Paragraph 41	1.4.2006	2005/2925
Paragraphs 42 to 44	1.4.2004	2004/288
Paragraph 46(1), (2)(b) and (3)(b) and (c)	1.4.2006	2005/2925
Paragraphs 47 to 49	1.4.2004	2004/288
Paragraph 50	1.4.2006	2005/2925
Paragraphs 51 and 52	1.4.2004	2004/288

Paragraph 53	1.4.2004 (partially)	2004/288
Paragraphs 53 and 54	1.4.2006	2005/2925
Paragraphs 55 to 59	1.4.2004	2004/288
Paragraph 60	1.4.2004 (partially)	2004/288
	1.4.2006 (remainder)	2005/2925
Paragraph 61	1.4.2006	2005/2925
Paragraphs 62 and 63	1.4.2004	2004/288
Paragraph 64	1.4.2006	2005/2925
Paragraphs 65 and 67(a)	1.4.2004	2004/288
Paragraph 66	1.4.2006	2005/2925
Paragraph 67(b)	1.4.2006	2005/2925
Paragraph 68	17.1.2005	2005/38
Paragraph 69	1.4.2004 (partially)	2005/2925
	1.4.2006 (remainder)	
Paragraphs 70, 71, 73 and 74	1.4.2004	2004/288
Paragraph 72	1.4.2006	2005/2925
Schedule 12	19.10.2004	2004/2626
Schedule 14 as to England	1.3.2004 (partially) and 1.4.2004 (partially)	2004/288
	17.1.2005 (partially)	2005/38
	1.12.2005 (partially) and 1.4.2006 (partially)	2005/2925
	1.9.2006 (partially)	2006/1680
Schedule 14	1.4.2004 (partially)	2004/759
	1.4.2005 (partially)	2005/457
	1.12.2005 (partially)	2005/2925
	1.4.2006 (partially)	2005/2925
	27.10.06 (partially)	2006/2817
	29.1.2007 (partially)	2006/3397

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