
STATUTORY INSTRUMENTS

2008 No. 2250

The Health and Social Care Act 2008 (Consequential Amendments and Transitory Provisions) Order 2008

Transitory provisions

3.—(1) The enactments listed in this article are modified as there specified.

(2) Until the coming into force of paragraph 53 of Schedule 5 to the Act, Schedule A1 to the Prison Act 1952 (further provision about Her Majesty’s Chief Inspector of Prisons)(1) is modified as follows—

(a) in paragraph 2(2), after paragraph (e) insert—

“(ea) the Care Quality Commission,”; and

(b) in paragraph 3(2), after paragraph (b) insert—

“(ba) the Care Quality Commission,”.

(3) Until the coming into force of paragraph 60 of Schedule 5 to the Act, section 48(6) of the Copyright, Designs and Patents Act 1988 (“the Crown” includes certain bodies with health-related functions)(2) is modified by inserting “the Care Quality Commission,” after the words “section 18 of the National Health Service Act 2006,”.

(4) Until the coming into force of paragraph 63 of Schedule 5 to the Act, Schedule 4A to the Police Act 1996 (further provision about Her Majesty’s Inspectors of Constabulary)(3) is modified as follows—

(a) in paragraph 2(2), after paragraph (e) insert—

“(ea) the Care Quality Commission,”;

(b) in paragraph 3(2), after paragraph (c) insert—

“(ca) the Care Quality Commission,”; and

(c) in paragraph 4, after paragraph (e) insert—

“(ea) the Care Quality Commission,”.

(5) Until the coming into force of paragraph 66(2) and (3) of Schedule 5 to the Act, in section 33 of the Audit Commission Act 1998 (studies for improving economy etc in services)(4), subsection (6) is modified as follows—

(a) in paragraph (c), after the word “consult” insert “the Care Quality Commission,”; and

(1) 1952 c.52. Schedule A1 was inserted by the Police and Justice Act 2006 (c.48), section 28(2).

(2) 1988 c.48. Section 48(6) was inserted by the National Health Service and Community Care Act 1990 c.19, Schedule 8, paragraph 3 and amended by the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedule 4, paragraph 72, the National Health Service (Consequential Provisions) Act 2006 (c.43), Schedule 1, paragraph 112, S.I. 1991/194, S.I. 1999/2795, S.I. 2000/90 and S.I. 2004/2987.

(3) 1996 c.16. Schedule 4A was inserted by the Police and Justice Act 2006, section 29(2). Relevant amendment is made by S.I. 2008/912.

(4) 1998 c.18. Subsection (6)(d) was inserted by the Health and Social Care (Community Health and Standards) Act 2003, Schedule 9, paragraph 12 (5). Relevant amendments to subsection (6)(c) and (d) were made by the National Health Service Reform and Health Care Professions Act 2002 (c.17), section 12(5), the Local Government and Public Involvement in Health Act 2007 (c.28), section 153(2)(b) and S.I. 2004/2987.

(b) in paragraph (d), after the word “consult” insert “the Care Quality Commission and”.

(6) Until the coming into force of paragraph 67(2) of Schedule 5 to the Act, in section 34 of the Audit Commission Act 1998 (reports on impact of statutory provisions etc.), subsection (6)(ba) is modified by inserting “the Care Quality Commission and” before “the Commission for Social Care Inspection”**(5)**.

(7) Until the coming into force of paragraph 69 of Schedule 5 to the Act, Schedule 2A to the Audit Commission Act 1998 (interaction with other authorities)**(6)**, paragraph 1(1) is modified by inserting after paragraph (f)—

“(fa) the Care Quality Commission;”.

(8) Until the coming into force of paragraph 70 of Schedule 5 to the Act, in section 25 of the Local Government Act 1999 (co-ordination of inspections etc.)**(7)**, subsection (2) is modified by inserting after paragraph (d)—

“(da) the Care Quality Commission;”.

(9) Until the coming into force of paragraph 71 of Schedule 5 to the Act, the Schedule to the Crown Prosecution Service Inspectorate Act 2000 (further provision about Her Majesty’s Chief Inspector of the Crown Prosecution Service)**(8)** is modified as follows—

(a) in paragraph 2(2) after paragraph (e) insert—

“(ea) the Care Quality Commission;” and

(b) in paragraph 4 after paragraph (e) insert—

“(ea) the Care Quality Commission;”.

(10) Until the coming into force of paragraph 74 of Schedule 5 to the Act, Schedule 1A to the Criminal Justice and Court Services Act 2000 (further provision about the Inspectorate)**(9)** is modified as follows—

(a) in paragraph 2(2), after paragraph (e) insert—

“(ea) the Care Quality Commission;”;

(b) in paragraph 3(2), after paragraph (b) insert—

“(ba) the Care Quality Commission;” and

(c) in paragraph 4, after paragraph (e) insert—

“(ea) the Care Quality Commission;”.

(11) Until the coming into force of paragraph 75 of Schedule 5 to the Act, Schedule 3A to the Courts Act 2003 (further provision about the Inspectors of Court Administration)**(10)** is modified as follows—

(a) in paragraph 2(2), after paragraph (e) insert—

“(ea) the Care Quality Commission;” and

(b) in paragraph 4, after paragraph (e) insert—

“(ea) the Care Quality Commission;”.

(5) Subsection (6)(ba) was inserted by the Health and Social Care (Community Health and Standards) Act 2003, Schedule 9, paragraph 12(7).

(6) Schedule 2A was inserted by the Local Government and Public Involvement in Health Act 2007, section 149(4) and Schedule 11.

(7) 1999 c.27. Subsection (2)(d) was inserted by the Learning and Skills Act 2000, section 73(3)(a).

(8) 2000 c. 10. The Schedule was inserted by the Police and Justice Act 2006, section 30(2).

(9) 2000 c.43. Schedule 1A was inserted by the Police and Justice Act 2006, section 31(2).

(10) 2003 c.39. Schedule 3A was inserted by the Police and Justice Act 2006, section 32(2).

(12) Until the coming into force of paragraph 76 of Schedule 5 to the Act, section 62 of the Public Audit (Wales) Act 2004 (co-operation with Assembly, Audit Commission or CHAI)(**11**) is modified by omitting the word “or” and inserting after paragraph (b)—

“(ba) the Care Quality Commission, or”.

(13) Until the coming into force of paragraph 81 of Schedule 5 to the Act, paragraph 1 of Schedule 13 to the Education and Inspections Act 2006 (interaction with other authorities)(**12**) is modified as follows—

(a) in sub-paragraph (2), after paragraph (e) insert—

“(ea) the Care Quality Commission,”; and

(b) in sub-paragraph (3)(f), for “(2)(f)” substitute “(2)(ea)”.

(14) Until the coming into force of paragraph 82 of Schedule 5 to the Act, in section 9 of the National Health Service Act 2006 (NHS contracts)(**13**), subsection (4) is modified by inserting after paragraph (j)—

“(ja) the Care Quality Commission,”.

(15) Until the coming into force of paragraph 85 of Schedule 5 to the Act, in section 71 of the National Health Service Act 2006 (schemes for meeting losses and liabilities etc of certain health service bodies), subsection (2) is modified by inserting after paragraph (e)—

“(ea) the Care Quality Commission,”.

(11) 2004 c.23.
(12) 2006 c.40.
(13) 2006 c.41.