
STATUTORY INSTRUMENTS

2010 No. 112 (C. 12)

**LOCAL GOVERNMENT, ENGLAND
NATIONAL HEALTH SERVICE, ENGLAND**

**The Local Government and Public Involvement in
Health Act 2007 (Commencement No.9) Order 2010**

Made - - - - 21st January 2010

The Secretary of State for Health makes the following Order in exercise of the powers conferred by section 245(5) and (6) of the Local Government and Public Involvement in Health Act 2007⁽¹⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Local Government and Public Involvement in Health Act 2007 (Commencement No.9) Order 2010.

(2) In this Order “the Act” means the Local Government and Public Involvement in Health Act 2007.

Appointed day for provisions relating to byelaws

2. 27th January 2010 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 129 (alternative procedure for byelaws);
- (b) section 130 (fixed penalties for breach of byelaws);
- (c) section 131 (use of fixed penalty receipts);
- (d) section 132 (guidance);
- (e) section 133 (community support officers etc);
- (f) section 134 (revocation of byelaws); and
- (g) section 135 (further amendments relating to byelaws).

Appointed day for provision relating to the duty to involve users

3. 22nd February 2010 is the day appointed for the coming into force of section 233(5) of the Act in so far as it is not already in force.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Health

21st January 2010

Ann Keen
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences provisions of the Local Government and Public Involvement in Health Act 2007 (c.28) (“the Act”) which concern byelaws in relation to local government and the duty to involve users in relation to health services.

Article 2 provides that 27th January 2010 is the appointed day for the coming into force of sections 129 to 135 of the Act. Those sections extend to England and Wales but have application only in England and (amongst other things) enable regulations to—

- make provision about the procedure for the making, coming into force and revocation of such byelaws
- prescribe classes of byelaws for which a fixed penalty notice may be given
- provide that an authorised officer proposing to give a person a fixed penalty notice may require the person to give him his name and address
- require a local authority in receipt of fixed penalty receipts to have regard to the desirability of using the receipts to combat certain nuisances
- require a local authority which makes byelaws of a prescribed class to have regard to any guidance issued by the Secretary of State.

Article 3 provides that 22nd February 2010 is the appointed day for the coming into force of section 233(5) of the Act in so far as it is not already in force. Section 233(5), which extends to England and Wales but has application in England only, places a duty on the Secretary of State to make regulations requiring Strategic Health Authorities to further involve users of health services in matters prescribed in those regulations.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Part 1	01.11.2007	2007/3136
Section 75	13.02.2008	2008/337
Section 76 (partially)	01.04.2008	2008/917
Section 77 (partially)	01.04.2008	2008/917
(remainder)	31.12.2008	2008/3110
Section 78	31.12.2008	2008/3110
Sections 79 to 102	13.02.2008	2008/337
Section 116	01.04.2008	2008/461
Section 119 (partially)	12.12.2008	2008/3110
(remainder)	01.04.2009	2008/3110

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Sections 120 to 124	01.04.2009	2008/3110
Section 125	12.12.2008	2008/3110
Section 126 (partially)	30.04.2009	2009/959
Section 126 (remainder)	01.10.2009	2009/2539
Sections 127 and 128	01.04.2009	2008/3110
Section 136	01.04.2008	2008/917
Section 137 (partially)	01.04.2008	2008/591
Section 137 (remainder)	01.04.2008	2008/917
Section 138	01.04.2009	2008/917
Section 139	01.04.2008	2008/917
Section 140 (partially)	01.04.2008	2008/591
Section 140 (remainder)	01.04.2008	2008/917
Section 144	01.04.2008	2008/917
Section 145	01.08.2009	2008/3110
Sections 146 and 147	01.04.2008	2008/172
Section 148	31.03.2008	2008/172
Section 149	31.01.2008	2008/172
Section 150	01.04.2008	2008/172
Section 151	31.01.2008	2008/172
Section 152	01.04.2008	2008/172
Sections 153 to 155	31.01.2008	2008/172
Sections 156 and 157	01.04.2008	2008/172
Section 158	01.08.2009	2008/3110
Sections 159 to 163	01.04.2008	2008/172
Section 164	31.01.2008	2008/172
Section 165	01.04.2008	2008/172
Sections 166 and 167	31.01.2008	2008/172
Sections 168 to 179	01.04.2008	2008/917
Section 180	01.04.2009	2008/917
Sections 181 and 182	01.04.2008	2008/917
Section 183 (partially)	31.01.2008	2008/172
Section 184	31.01.2008	2008/172
Section 185 (partially)	31.01.2008	2008/172
Section 185 (remainder)	08.05.2008	2008/1265

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 186	08.05.2008	2008/1265
Section 187	01.04.2008	2008/172
Sections 188 to 190	31.01.2008	2008/172
Section 191 (partially)	31.01.2008	2008/172
(remainder)	01.04.2008	2008/172
Section 192 (partially)	31.01.2008	2008/172
(remainder)	12.12.2008	2008/3110
Sections 193 to 195	31.01.2008	2008/172
Section 196	01.04.2008	2008/172
Section 197	12.12.2008	2008/3110
Section 198 (partially)	31.01.2008	2008/172
(remainder)	12.12.2008	2008/3110
Section 199	12.12.2008	2008/3110
Sections 200 and 201	01.04.2008	2008/172
Section 202 (partially)	31.01.2008	2008/172
(remainder)	01.04.2008	2008/172
Section 203	01.04.2008	2008/172
Section 204	31.01.2008	2008/172
Sections 205 to 209	01.04.2008	2008/917
Section 210	01.04.2008	2008/591
Section 211	01.04.2008	2008/917
Section 219 (partially)	01.04.2008	2008/917
(remainder)	12.12.2008	2008/3110
(remainder)	01.10.2009	2008/3110
Section 220 (partially)	01.04.2008	2008/917
(remainder)	01.10.2009	2008/3110
Sections 221 and 222	01.04.2008	2008/461
Sections 223 and 224	21.02.2008	2008/461
Section 225	31.01.2008	2008/172
Section 226 (partially)	21.02.2008	2008/461
(remainder)	01.04.2008	2008/461
Section 227 (partially)	10.03.2008	2008/461

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
(remainder)	01.04.2008	2008/461
Section 228 (partially)	21.02.2008	2008/461
(remainder)	01.04.2008	2008/461
Section 229	31.01.2008	2008/172
Sections 230 and 231	01.04.2008	2008/461
Section 232 (partially)	01.04.2008	2008/461
Section 232 (remainder)	30.06.2008	2008/461
Section 233 (partially)	26.09.2008	2008/2434
	03.11.2008	2008/2434
Section 234	03.11.2008	2008/2434
Section 236 (partially)	12.12.2008	2008/3110
(remainder)	01.04.2009	2008/3110
Section 237	12.12.2008	2008/3110
Section 238	31.01.2008	2008/172
Section 239	01.04.2008	2008/917
Section 241(partially)	01.11.2007	2007/3136
	31.01.2008	2008/172
	13.02.2008	2008/337
	01.04.2008	2008/172
	01.04.2008	2008/461
	01.04.2008	2008/591
	01.04.2008	2008/917
	30.06.2008	2008/461
	30.04.2009	2009/959
	01.10.2009	2009/2539
Section 243	21.02.2008	2008/461
Schedule 1	01.11.2007	2007/3136
Schedule 5 (partially)	13.02.2008	2008/337
(remainder)	31.12.2008	2008/3110
Schedules 7 and 8	01.04.2008	2008/917

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Schedule 9	01.04.2008	2008/172
Schedule 10	31.03.2008	2008/172
Schedule 11	31.01.2008	2008/172
Schedules 12 and 13	01.04.2008	2008/917
Schedule 15 (partially)	01.04.2008	2008/917
	12.12.2008	2008/3110
	01.10.2009	2008/3110
Schedule 16 (partially)	01.04.2008	2008/917
	01.10.2009	2008/3110
Schedule 18 (partially)	01.11.2007	2007/3136
	31.01.2008	2008/172
	13.02.2008	2008/337
	01.04.2008	2008/172
	01.04.2008	2008/461
	01.04.2008	2008/591
	30.06.2008	2008/461
	30.04.2009	2009/959
	01.10.2009	2009/2539