

SCHEDULE 7

Regulation 35

Application of Part 2 of the Care Standards Act 2000 to persons carrying on or managing a scheme

1. Section 11 (requirement to register) applies as if—
 - (a) in subsection (1)—
 - (i) after “description”, on the first occasion where the word occurs, there were inserted “or a holiday scheme for disabled children”;
 - (ii) after “description”, on the second occasion where the word occurs, there were inserted “or as a holiday scheme for disabled children”;
 - (b) in subsection (6)(a)—
 - (i) for “or agency” there were substituted “, agency or holiday scheme for disabled children”;
 - (ii) “or” at the end of the paragraph were omitted;
 - (c) for subsection (6)(b) there were substituted—
 - (b) in the case of a conviction in relation to an establishment or agency, the conviction is a second or subsequent conviction of the offence and the earlier conviction, or one of the earlier convictions, was of an offence in relation to an establishment or agency of the same description; or
 - (c) in the case of a conviction in relation to a holiday scheme for disabled children, the conviction is a second or subsequent conviction of the offence.”
2. Section 12 (applications for registration) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
3. Section 13 (grant or refusal of registration) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
4. Section 14(1) (cancellation of registration) applies as if in paragraphs (b), (c) and (ca)(i) of subsection (1) for “or agency” there were substituted “, agency or holiday scheme for disabled children”.
5. Section 17(2) (notice of proposals) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
6. Section 19(3) (notice of decisions) applies as if for “or agency” there were substituted “, agency or holiday scheme for disabled children”.
7. Section 20(4) (urgent procedure for cancellation etc.) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.
8. Section 21(5) (appeals to the tribunal) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

(1) Section 14(1)(ca) of the Act was inserted by section 26(1) of the CYPA 2008.
(2) Section 17(4) of the Act was amended by section 95 of, and paragraphs 1 and 16 of Schedule 5 to, the Health and Social Care Act 2008 (2008 c.14, “the 2008 Act”).
(3) Section 19(4) of the Act was amended by section 95 of, and paragraphs 1 and 17 of Schedule 5 to, the 2008 Act.
(4) Section 20 of the Act was amended by section 95 of, and paragraphs 1 and 18 of Schedule 5 to, the 2008 Act.
(5) Section 21 of the Act was amended by sections 95 and 166 of, and Schedules 5 and 15 to, the 2008 Act, and by sections 28 and 42 of, and Schedule 4 to, the CYPA 2008.

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9. Section 22A(6) (power of CIECSS to serve notice where person is failing to comply with regulations) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

- 10.** Section 22B(7) (notice restricting accommodation at certain establishments) applies as if—
- (a) in subsections (1) to (7), after “establishment”, in each place where the word occurs, there were inserted “or holiday scheme for disabled children”;
 - (b) in subsection (8), after “This section applies to” there were inserted “holiday schemes for disabled children and to”.

11. Section 24 (failure to comply with conditions) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

12. Section 24A(8) (offences relating to suspension) applies as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

- 13.** Section 26(9) (false descriptions of establishments and agencies) applies as if—
- (a) in subsection (1), after “description”, in each place where the word occurs, there were inserted “or a holiday scheme for disabled children”;
 - (b) in subsection (3), for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

- 14.** Section 28 (failure to display certificate of registration) applies as if—
- (a) for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;
 - (b) after “at the agency” there were inserted “or in the principal office used to carry out the administration of the holiday scheme for disabled children”.

15. Section 30A(2)(a), (aa) and (b)(10) (notification of matters relating to persons carrying on or managing certain establishments or agencies) apply as if for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”.

- 16.** Section 31(11) (inspections by persons authorised by registration authority) applies as if—
- (a) in subsections (1), (3)(c) and (4)(a), for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;
 - (b) in subsection (2), after “agency” there were inserted “or holiday scheme for disabled children”;
 - (c) in subsection (3)(e), after “there” there were inserted “, or in the case of a holiday scheme for disabled children, any person provided with care or support under such a scheme,”;
 - (d) in subsection (5), after “establishment” there were inserted “or for the purposes of the holiday scheme for disabled children”.

- 17.** Section 32(12) (inspections: supplementary) applies as if—
- (a) for “or agency”, wherever the words occur, there were substituted “, agency or holiday scheme for disabled children”;

(6) Section 22A of the Act was inserted by section 26(2) of the CYPA 2008.

(7) Section 22B of the Act was inserted by section 27 of the CYPA 2008.

(8) Section 24A of the Act was inserted by section 95 of, and paragraphs 1 and 22 of Schedule 5 to, the 2008 Act.

(9) Section 26 of the Act was amended by section 95 of, and paragraphs 1 and 23 of Schedule 5 to, the 2008 Act.

(10) Section 30A of the Act was inserted by section 29 of the CYPA 2008. Section 30A(2)(aa) was inserted by section 95 of, and paragraphs 1 and 26 of Schedule 5 to, the 2008 Act.

(11) Section 31 of the Act was amended by section 108 of the 2003 Act. There are other amendments but none are relevant to these Regulations.

(12) Section 32(8) of the Act was repealed by section 196 of, and Schedule 14 to, the 2003 Act.

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(b) in subsection (5), after “of an agency” there were inserted “or holiday scheme for disabled children”.

18. Section 37 (service of documents) applies as if for “or agency”—

(a) in subsection (1), and for the first occurrence of the words in subsection (2), there were substituted “, agency or holiday scheme for disabled children”;

(b) in subsection (2), for the second occurrence of the words, there were substituted “, agency or the premises from which the holiday scheme for disabled children is carried on”.