

SCHEDULE 4

Regulation 43(1)

Modifications to Part 2, other than sections 11 and 26, of the Care Standards Act 2000

Modification of section 12 (application for registration)

1. In section 12—
 - (a) in subsections (1) and (2), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
 - (b) in subsection (3), the reference to “the manager of an establishment or agency”, in respect of a supported accommodation undertaking, is to be read as a reference to the registered service manager of a supported accommodation undertaking;
 - (c) in subsection (4), the reference to “more than one establishment or agency” is to be read as a reference to more than one supported accommodation undertaking.

Modification of section 13 (grant or refusal of registration)

2. In section 13—
 - (a) in subsection (1), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
 - (b) in subsections (2), (3), (4) and (5), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
 - (c) in subsection (2), the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking.

Modification of section 14 (cancellation of registration)

3. In section 14—
 - (a) in subsection (1), in paragraphs (b), (c) and (ca)(i), the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking;
 - (b) in subsection (3), the reference to “the registration authority”, in respect of a supported accommodation undertaking, is to be read as a reference to the CIECSS.

Modification of section 14A (suspension of registration)

4. In section 14A—
 - (a) in subsections (1) and (2), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
 - (b) in subsection (1), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
 - (c) in subsection (2), the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking.

Modification of section 15 (applications by registered persons)

5. In section 15, in subsections (1), (2), (4) and (4A), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS.

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Modification of section 16 (regulations about registration)

6. Section 16 is to be read as if subsection (2) were omitted.

Modification of section 17 (notice of proposals)

7. In section 17—

- (a) in subsections (1) and (4), the references to “an establishment or agency” are to be read as references to a supported accommodation undertaking;
- (b) in subsections (2), (3), (4) and (5), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (c) in subsection (6), the reference to “the registration authority’s reasons”, in respect of a supported accommodation undertaking, is to be read as a reference to the CIECSS’s reasons.

Modification of section 18 (right to make representations)

8. In section 18, the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS.

Modification of section 19 (notice of decisions)

9. In section 19—

- (a) in subsections (1), (3), (5) and (6), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (b) in subsection (1), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking.

Modification of section 20 (urgent procedure for cancellation, variation etc: England)

10. In section 20—

- (a) in subsection (1), the reference to “an establishment or agency for which the CIECSS is the registration authority” is to be read as a reference to a supported accommodation undertaking;
- (b) in subsections (1), (5) and (6), the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking.

Modification of section 20B (urgent procedure for suspension or variation etc)

11. In section 20B—

- (a) in subsection (1), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
- (b) in subsections (1) and (2), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (c) in subsection (2), the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking;
- (d) in subsection (4), the reference to “the registration authority’s reasons”, in respect of a supported accommodation undertaking, is to be read as a reference to the CIECSS’s reasons.

Modification of section 21 (appeals to the Tribunal)

12. In section 21—

- (a) in subsections (1) and (3), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (b) in subsection (4C), the reference to “the same establishment” is to be read as a reference to the same supported accommodation undertaking;
- (c) in subsection (5), the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking;
- (d) subsection (6) is to be read as if it were omitted.

Modification of section 22 (regulation of establishments and agencies)

13. In section 22—

- (a) the following are to be read as if they were omitted—
 - (i) subsection (1)(b);
 - (ii) subsection (2)(e);
 - (iii) subsection (5)(b);
 - (iv) subsection (6);
 - (v) subsection (7)(k) and (l);
 - (vi) subsection (8)(a) and (b);
 - (vii) subsection (11);
- (b) in subsection (7)(e), (f) and (g), the references to “the manager”, in respect of a supported accommodation undertaking, are to be read as references to the registered service manager.

Modification of section 22A (power of CIECSS to serve notice where person is failing to comply with regulations)

14. In section 22A—

- (a) in subsection (1), the reference to “a relevant establishment or agency” is to be read as a reference to a relevant supported accommodation undertaking;
- (b) in subsections (1) and (3), the references to “that establishment or agency” are to be read as references to that supported accommodation undertaking;
- (c) in subsection (3), the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking;
- (d) in subsection (6), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking.

Modification of section 22B (notice restricting accommodation at certain establishments)

15. In section 22B—

- (a) in subsections (1), (4), (5) and (6), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (b) in subsection (1)—
 - (i) the reference to “an establishment” is to be read as a reference to a supported accommodation undertaking;

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- (ii) the reference to “that establishment” is to be read as a reference to that supported accommodation undertaking or, where relevant, premises at which that supported accommodation undertaking provides supported accommodation;
- (c) in subsection (2), the reference to “accommodated at the establishment” is to be read as a reference to accommodated by the supported accommodation undertaking or, where relevant, accommodated in premises at which the supported accommodation undertaking provides supported accommodation;
- (d) in subsection (3), the reference to “the establishment” is to be read as a reference to the supported accommodation undertaking or, where relevant, the premises at which the supported accommodation undertaking provides supported accommodation;
- (e) in subsection (5), the reference to “the establishment” is to be read as a reference to the supported accommodation undertaking;
- (f) in subsection (8), the list of establishments is to be read as including supported accommodation undertakings.

Modification of section 23 (national minimum standards)

16. In section 23—

- (a) subsection (1ZA) is to be read as if it were omitted;
- (b) in subsection (4), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS.

Modification of section 24 (failure to comply with conditions)

17. In section 24—

- (a) the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
- (b) the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking.

Modification of section 24A (offences relating to suspension)

18. In section 24A(1)—

- (a) the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
- (b) the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking.

Modification of section 29 (proceedings for offences)

19. Section 29(3) is to be read as if paragraph (a) were omitted.

Modification of section 30A (notification of matters relating to persons carrying on or managing certain establishments or agencies)

20. In section 30A—

- (a) in subsections (2) and (3), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (b) in subsection (2)—

- (i) the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking;
- (ii) paragraph (ab) is to be read as including a reference to a notice under section 20B to vary or remove a condition for the time being in force in relation to the registration of P, or to impose an additional condition, where P is managing or carrying on a supported accommodation undertaking;
- (c) in subsection (6), the list of establishments and agencies is to be read as including supported accommodation undertakings.

Modification of section 31 (inspections by persons authorised by registration authority)

21. In section 31—

- (a) in subsections (1) and (2), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS;
- (b) in subsection (1), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
- (c) in subsections (1), (3)(c) and (4)(a), the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking;
- (d) in subsection (2), the reference to “premises which are used, or which he has reasonable cause to believe to be used, as an establishment or for the purposes of an agency” is to be read as a reference to premises which are used, or which he has reasonable cause to believe to be used, for the purposes of a supported accommodation undertaking, including premises used as supported accommodation;
- (e) in subsections (3)(c) and (4)(a), the references to “the manager”, in respect of a supported accommodation undertaking, are to be read as references to the registered service manager;
- (f) subsections (5) and (6) are to be read as if they were omitted.

Modification of section 32 (inspections: supplementary)

22. In section 32—

- (a) in subsections (4) and (5), the references to “the establishment or agency” are to be read as references to the supported accommodation undertaking;
- (b) in subsection (4), the reference to “an establishment or agency” is to be read as a reference to a supported accommodation undertaking;
- (c) in subsection (5), the reference to “an agency” is to be read as a reference to a supported accommodation undertaking;
- (d) in subsections (5), (6) and (7), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS.

Modification of section 36 (provision of copies of registers)

23. In section 36(1) and (2), the references to “the registration authority”, in respect of a supported accommodation undertaking, are to be read as references to the CIECSS.

Modification of section 37 (service of documents)

24. In section 37—

- (a) in subsections (1) and (2), the references to “an establishment or agency” are to be read as references to a supported accommodation undertaking;

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- (b) in subsection (2), the reference to “the establishment or agency” is to be read as a reference to the supported accommodation undertaking.