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WELSH STATUTORY INSTRUMENTS

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**2001 No. 139**

**The Care Standards Act 2000 (Commencement No.2  
and Transitional Provisions) (Wales) Order 2001**

**Transitional Provisions**

**3.**—(1) Where a person carrying on a small children's home has before 28th February 2001 duly made an application for registration under sub-paragraphs (1) and (2) of paragraph 1 of Schedule 6 to the 1989 Act, the following paragraphs of this article apply.

(2) Section 63(1) and (10) of the 1989 Act shall not apply to that person—

(a) until such time as the application is granted, either unconditionally or subject to such conditions as are mentioned in paragraph (3); or

(b) if the application is granted subject to conditions other than such as are mentioned in paragraph (3), or refused—

(i) if no appeal is brought, until the expiration of 28 days after the service of notice of the local authority's decision; and

(ii) if an appeal is brought, until it is determined or abandoned.

(3) The conditions are—

(a) such conditions (if any) of the type mentioned in paragraph 5(2) of Schedule 6 to the 1989 Act (agreed conditions); or

(b) a condition that no more than three children may be accommodated and cared for in the home.

(4) Paragraphs 1(9) and 7(3) of Schedule 6 to the 1989 Act shall not apply to the application.