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## SCHEDULE 3

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 1

#### REGULATION OF SERVICES

##### *Care Standards Act 2000*

1 The Care Standards Act 2000 (c.14) is amended as follows.

##### **Commencement Information**

**I1** Sch. 3 para. 1 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

2 In section 1—

- (a) in subsection (1), at the end insert “ as it applies in relation to England ”;
- (b) in subsection (2), after “establishment” insert “ in England ”;
- (c) subsection (4) is repealed;
- (d) in subsection (4A), the words “in England” are repealed;
- (e) the section heading becomes “ Children's homes in England ”.

##### **Commencement Information**

**I2** Sch. 3 para. 2 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

3 In section 3—

- (a) in subsection (1), after “establishment” insert “ in England ”;
- (b) subsection (3) is repealed;
- (c) in subsection (4), the words “in England” are repealed;
- (d) the section heading becomes “ Care homes in England ”.

##### **Commencement Information**

**I3** Sch. 3 para. 3 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

4 In section 4—

- (a) in subsection (2), after “establishment” insert “ in England ”;
- (b) in subsection (3), after “persons” insert “ in England ”;
- (c) in subsection (4)—
  - (i) in paragraph (a), after “authorities” insert “ in England ”;
  - (ii) in paragraph (b), after “organisation” insert “ in England ”;
- (d) subsection (5) is repealed;
- (e) in subsection (7), at the end insert “ whose principal office is in England ”;
- (f) in subsection (7A), for “has” substitute “ means an undertaking in England which is an adoption support agency within ”;
- (g) in subsection (8)(a)—

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- (i) in sub-paragraph (i), at the end insert “ in England ”;
- (ii) in sub-paragraph (ii), after “home” insert “ in England ”;
- (iii) sub-paragraph (vi) is repealed;
- (iv) in sub-paragraph (vii), at the end insert “ in England ”;
- (h) in subsection (9)(a), sub-paragraphs (ii) and (iii) are repealed;
- (i) in subsection (10), after “services” where it first occurs insert “ in England ”.

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- 5 In section 5—
- (a) in subsection (1)(b), for “in any other case” substitute “ in the case of establishments mentioned in subsection (1B) ”;
  - (b) in subsection (1A), after “agencies” insert “ mentioned in subsection (1)(a) ”;
  - (c) after subsection (1A), insert—
    - “(1B) The establishments mentioned in subsection (1)(b) are—
    - (a) independent hospitals in Wales;
    - (b) independent clinics in Wales.”;
  - (d) subsection (2) is repealed.

- 6 In section 8(6)—
- (a) in paragraph (a), for “section 5(b)” substitute “ section 5(1)(b) ”;
  - (b) in paragraph (b) for sub-paragraphs (i) and (ii) substitute “by the Care Quality Commission—
    - (i) under Chapters 2 and 3 of Part 1 of the Health and Social Care Act 2008 in relation to health care in England, or
    - (ii) under the Mental Health Act 1983 in relation to England.”

#### Commencement Information

**I5** Sch. 3 para. 6 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

- 7 In section 14(2), after paragraph (f) insert—
- “(g) an offence under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016.”

#### Commencement Information

**I6** Sch. 3 para. 7 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

- 8 In section 22—
- (a) in subsection (1), for paragraph (b) substitute—
    - “(b) regulations made by the Welsh Ministers—

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- (i) may make provision only in relation to establishments for which the Welsh Ministers are the registration authority, and
  - (ii) may in particular make any provision such as is mentioned in subsection (2), (7) or (8) in so far as relevant to those establishments.”;
- (b) subsections (3) and (4) are repealed.

#### Commencement Information

**I7** Sch. 3 para. 8 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

9 In section 22B—

- (a) in subsection (1), for “registration authority” substitute “ CIECSS ”;
- (b) in subsection (3)(c), for “registration authority's” substitute “CIECSS's”;
- (c) in subsection (4)(b), for “registration authority” substitute “ CIECSS ”;
- (d) in subsection (5)(a), for “registration authority” substitute “ CIECSS ”;
- (e) in subsection (6), for “registration authority” substitute “ CIECSS ”;
- (f) in subsection (8)—
  - (i) in paragraph (a), at the end insert “ in England ”;
  - (ii) in paragraph (b), at the end insert “ in England ”.

#### Commencement Information

**I8** Sch. 3 para. 9 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

10 In section 23, after subsection (1) insert—

“(1ZA) But the Welsh Ministers may prepare and publish such a statement only in relation to establishments for which the Welsh Ministers are the registration authority.”

#### Commencement Information

**I9** Sch. 3 para. 10 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

11 In section 30A—

- (a) in subsection (1), after “agency” insert “ in England ”;
- (b) in subsection (2), for “registration authority” substitute “ CIECSS ”;
- (c) in subsection (3), for “registration authority” substitute “ CIECSS ”;
- (d) in subsection (7), in the definition of “prescribed”, paragraph (b) is repealed.

#### Commencement Information

**I10** Sch. 3 para. 11 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

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12 Section 36A is repealed.

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13 In section 42—  
 (a) for subsection (2) substitute—  
 “(2) This subsection applies to persons who provide services which are similar to services which may or must be provided by Welsh NHS bodies.”;  
 (b) in subsection (7), the definition of “Welsh local authorities” is repealed.

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14 In section 43, after subsection (1) insert—  
 “(1A) “Local authority” means a local authority in England.”

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15 In section 50(1), for “registration authority” substitute “ CIECSS ”.

16 Section 79(3) is repealed.

#### Commencement Information

**III** Sch. 3 para. 16 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

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