
EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order amends the Health and Social Care (Community Health and Standards) Act 2003 Commencement (No. 3) Order 2004 to delay the date of the coming into force of section 50(1) of the Health and Social Care (Community Health and Standards) Act 2003 in relation to Special Health Authorities performing functions only or mainly in respect of England and cross-border SHAs.

Section 50(1) provides for the Commission for Healthcare Audit and Inspection to review and award a performance rating in respect of a range of bodies. This Order delays the date of the coming into force of that section in relation to Special Health Authorities performing functions only or mainly in respect of England to 1st April 2007. It also delays the date in relation to cross-border SHAs to 1st April 2008. Section 50(1) is not brought into force in relation to the Mental Health Act Commission or to NHS Blood and Transplant insofar as it is performing functions in respect of Wales.

Article 3 of this Order revokes—

- (a) provision in the Health and Social Care (Community Health and Standards) Act 2003 Commencement (No. 8) Order 2005 which would have brought into force amendments to the Care Standards Act 2000 (“the 2000 Act”); and
- (b) related transitional provision in that Order.

The amendments to the 2000 Act would have required the fees payable to the Commission for Healthcare Audit and Inspection to be such as they determine under section 113A of that Act⁽¹⁾.

(1) Section 113A was inserted by section 105(2) of the Health and Social Care (Community Health and Standards) Act 2003 which was commenced by [S.I. 2005/2925](#), article 2(1) with effect from 30th October 2005.