

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Care Standards Act 2000, SCHEDULE 1 is up to date with all changes known to be in force on or before 15 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Sections 6, 54 and 66.

[<sup>F1</sup>THE WELSH COUNCIL]

#### Textual Amendments

- F1** Sch. 1 title substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 43](#); S.I. 2012/1319, art. 2(4)

#### *Introductory*

<sup>F2</sup>1 .....

#### Textual Amendments

- F2** Sch. 1 para. 1 omitted (1.8.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 27](#); S.I. 2012/1319, art. 2(4)

#### *Status*

2 [<sup>F3</sup>The Welsh Council] is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and [<sup>F4</sup>the Council's] property is to not to be regarded as property of, or property held on behalf of, the Crown.

#### Textual Amendments

- F3** Words in Sch. 1 para. 2 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 28\(a\)](#); S.I. 2012/1319, art. 2(4)
- F4** Words in Sch. 1 para. 2 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\)](#), [Sch. 15 para. 28\(b\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I1** Sch. 1 para. 2 not in force at Royal Assent see s. 122; Sch. 1 para. 2 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\)](#), [Sch. 2](#); Sch. 1 para. 2 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 2 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

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### General powers

- 3 (1) Subject to any directions given by [<sup>F5</sup>the Welsh Ministers, the Welsh Council] may do anything which appears to it to be necessary or expedient for the purpose of, or in connection with, the exercise of its functions.
- (2) That includes, in particular—
- (a) co-operating with other public authorities in the United Kingdom;
  - (b) acquiring and disposing of land and other property; and
  - (c) entering into contracts.

#### Textual Amendments

- F5** Words in Sch. 1 para. 3(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 29](#); [S.I. 2012/1319, art. 2\(4\)](#)

#### Commencement Information

- I2** Sch. 1 para. 3 not in force at Royal Assent see s. 122; Sch. 1 para. 3 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 3 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 3 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

### General duty

- 4 It is the duty of [<sup>F6</sup>the Welsh Council] to carry out its functions effectively, efficiently and economically.

#### Textual Amendments

- F6** Words in Sch. 1 para. 4 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 30](#); [S.I. 2012/1319, art. 2\(4\)](#)

#### Commencement Information

- I3** Sch. 1 para. 4 not in force at Royal Assent see s. 122; Sch. 1 para. 4 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 4 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 4 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

### Membership

- 5 [<sup>F7</sup>The Welsh Council] is to consist of a chairman and other members appointed by [<sup>F8</sup>the Welsh Ministers] .

#### Textual Amendments

- F7** Words in Sch. 1 para. 5 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 31\(a\)](#); [S.I. 2012/1319, art. 2\(4\)](#)
- F8** Words in Sch. 1 para. 5 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 31\(b\)](#); [S.I. 2012/1319, art. 2\(4\)](#)

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#### Commencement Information

- I4** Sch. 1 para. 5 not in force at Royal Assent see s. 122; Sch. 1 para. 5 in force for W. at 1.4.2001 for certain purposes by S.I. 2000/2992, art. 2(2), Sch. 2; Sch. 1 para. 5 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by S.I. 2001/1193, arts. 1(3), 2(3)(b); Sch. 1 para. 5 in force for E. for certain purposes at 7.5.2001 by S.I. 2001/1536, arts. 1(3), 2(2)(a)(ii)

#### *Appointment, procedure etc.*

- 6 [F9]The Welsh Ministers] may by regulations make provision as to—
- (a) the appointment of the chairman and other members of [F10]the Welsh Council] (including the number, or limits on the number, of members who may be appointed and any conditions to be fulfilled for appointment);
  - (b) the tenure of office of the chairman and other members of [F11]the Council] (including the circumstances in which they cease to hold office or may be removed or suspended from office);
  - (c) the appointment of, constitution of and exercise of functions by committees and sub-committees of [F11]the Council] (including committees and sub-committees which consist of or include persons who are not members of [F12]the Council]); and
  - (d) the procedure of [F11]the Council] and any committees or sub-committees of [F11]the Council] (including the validation of proceedings in the event of vacancies or defects in appointment).

#### Textual Amendments

- F9** Words in Sch. 1 para. 6 substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 15 para. 32(a); S.I. 2012/1319, art. 2(4)
- F10** Words in Sch. 1 para. 6(a) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 15 para. 32(b); S.I. 2012/1319, art. 2(4)
- F11** Words in Sch. 1 para. 6(b)(c)(d) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 15 para. 32(c); S.I. 2012/1319, art. 2(4)
- F12** Words in Sch. 1 para. 6(c) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 15 para. 32(d); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I5** Sch. 1 para. 6 not in force at Royal Assent see s. 122; Sch. 1 para. 6 in force for E. for certain purposes at 16.3.2001 by S.I. 2001/1193, arts. 1(3), 2(1)(a); Sch. 1 para. 6 in force for W. at 1.4.2001 for certain purposes by S.I. 2000/2992 art. 2(2), Sch. 2; Sch. 1 para. 6 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by S.I. 2001/1193, arts. 1(3), 2(3)(b); Sch. 1 para. 6 in force for E. for certain purposes at 10.4.2001 by S.I. 2001/1536, arts. 1(3), 2(1)

#### *Remuneration and allowances*

- 7 (1) [F13]The Welsh Council] may pay to its chairman, to any other member of [F14]the Council] and to any member of a committee or sub-committee who is not a member of [F14]the Council], such remuneration and allowances as [F15]the Welsh Ministers] may determine.

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- (2) If [<sup>F16</sup>the Welsh Ministers so determine], [<sup>F17</sup>the Council] must pay or make provision for the payment of such pension, allowance or gratuities as [<sup>F18</sup>the Welsh Ministers] may determine to or in respect of a person who is or has been the chairman or any other member of [<sup>F17</sup>the Council].
- (3) If [<sup>F19</sup>the Welsh Ministers determine] that there are special circumstances that make it right for a person ceasing to hold office as chairman of [<sup>F20</sup>the Council] to receive compensation, [<sup>F21</sup>the Council] must pay to him or make provision for the payment to him of such compensation as [<sup>F22</sup>the Welsh Ministers] may determine.

#### Textual Amendments

- F13** Words in Sch. 1 para. 7(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(2\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F14** Words in Sch. 1 para. 7(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(2\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F15** Words in Sch. 1 para. 7(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(2\)\(c\)](#); S.I. 2012/1319, art. 2(4)
- F16** Words in Sch. 1 para. 7(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(3\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F17** Words in Sch. 1 para. 7(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(3\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F18** Words in Sch. 1 para. 7(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(3\)\(c\)](#); S.I. 2012/1319, art. 2(4)
- F19** Words in Sch. 1 para. 7(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(4\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F20** Words in Sch. 1 para. 7(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(4\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F21** Words in Sch. 1 para. 7(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(4\)\(c\)](#); S.I. 2012/1319, art. 2(4)
- F22** Words in Sch. 1 para. 7(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 33\(4\)\(d\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I6** Sch. 1 para. 7 not in force at Royal Assent see s. 122; Sch. 1 para. 7 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 7 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 7 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

#### Chief officer

- 8 (1) There is to be a chief officer of [<sup>F23</sup>the Welsh Council] who is to be a member of the staff of [<sup>F24</sup>the Council] and is to be responsible to [<sup>F24</sup>the Council] for the general exercise of its functions.
- (2) The first chief officer is to be appointed by [<sup>F25</sup>the Welsh Ministers] on such terms and conditions as [<sup>F25</sup>the Welsh Ministers] may determine.
- (3) Any subsequent chief officer is to be appointed by [<sup>F26</sup>the Council] .

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(4) An appointment under sub-paragraph (3) requires the approval of [<sup>F27</sup>the Welsh Ministers].

#### Textual Amendments

- F23** Words in Sch. 1 para. 8(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 34\(2\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F24** Words in Sch. 1 para. 8(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 34\(2\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F25** Words in Sch. 1 para. 8(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 34\(3\)](#); S.I. 2012/1319, art. 2(4)
- F26** Words in Sch. 1 para. 8(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 34\(4\)](#); S.I. 2012/1319, art. 2(4)
- F27** Words in Sch. 1 para. 8(4) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 34\(5\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I7** Sch. 1 para. 8 not in force at Royal Assent see s. 122; Sch. 1 para. 8 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 8 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 8 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

### *Regional directors*

9 <sup>F28</sup> .....

#### Textual Amendments

- F28** Sch. 1 para. 9-11 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 196, 199, Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

### *Children's rights director*

10 <sup>F29</sup> .....

#### Textual Amendments

- F29** Sch. 1 para. 9-11 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 196, 199, Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

### *Director of private and voluntary health care*

11 <sup>F30</sup> .....

#### Textual Amendments

- F30** Sch. 1 para. 9-11 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\), ss. 196, 199, Sch. 14 Pt. 2](#); S.I. 2004/759, art. 13

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### Staff

- 12 (1) [F31The Welsh Council] may appoint such other staff as it considers appropriate.
- (2) Subject to sub-paragraph (4), staff appointed by [F32the Council] are to be appointed on such terms and conditions as [F33the Council] may determine.
- (3) Without prejudice to its powers apart from this paragraph, [F34the Council] may pay, or make provision for the payment of—
- (a) pensions, allowances or gratuities;
  - (b) compensation for loss of employment or for reduction of remuneration, to or in respect of staff appointed by them.
- (4) The [F35Welsh Ministers] may give directions as to—
- (a) the appointment of staff by [F36the Council] (including any conditions to be fulfilled for appointment);
  - (b) their terms and conditions; and
  - (c) any other provision that may be made by [F37the Council] under sub-paragraph (3).
- (5) Sub-paragraphs (3) and (4)(c) apply to the first chief officer as they apply to other staff.
- (6) Different directions may be given under sub-paragraph (4) in relation to different categories of staff.

#### Textual Amendments

- F31** Words in Sch. 1 para. 12(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(2\)](#); S.I. 2012/1319, art. 2(4)
- F32** Words in Sch. 1 para. 12(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(3\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F33** Words in Sch. 1 para. 12(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(3\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F34** Words in Sch. 1 para. 12(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(4\)](#); S.I. 2012/1319, art. 2(4)
- F35** Words in Sch. 1 para. 12(4) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(5\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F36** Words in Sch. 1 para. 12(4)(a) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(5\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F37** Words in Sch. 1 para. 12(4)(c) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 35\(5\)\(c\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I8** Sch. 1 para. 12 not in force at Royal Assent see s. 122; Sch. 1 para. 12 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 12 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 12 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

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### *Delegation of functions*

- 13 (1) [<sup>F38</sup>The Welsh Council] may arrange for the discharge of any of its functions by a committee, sub-committee, member or member of staff of [<sup>F39</sup>the Council] .
- (2) [<sup>F40</sup>The Council] may make arrangements with persons under which they, or members of their staff, may perform functions of members of the staff of [<sup>F41</sup>the Council] .

#### **Textual Amendments**

- F38** Words in Sch. 1 para. 13(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 36\(2\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F39** Words in Sch. 1 para. 13(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 36\(2\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F40** Words in Sch. 1 para. 13(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 36\(3\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F41** Words in Sch. 1 para. 13(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 36\(3\)\(b\)](#); S.I. 2012/1319, art. 2(4)

#### **Commencement Information**

- I9** Sch. 1 para. 13 not in force at Royal Assent see s. 122; Sch. 1 para. 13 in force (W.) at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 13 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 13 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

### *Arrangements for the use of staff*

- 14 [<sup>F42</sup>The Welsh Ministers] may by regulations provide for arrangements under which—
- (a) members of staff of [<sup>F43</sup>the Welsh Council] are placed at the disposal of a prescribed person for the purpose of discharging, or assisting in the discharge of, prescribed functions of that person; or
- (b) members of staff of a prescribed person are placed at the disposal of [<sup>F44</sup>the Council] for the purpose of discharging, or assisting in the discharge of, any functions of [<sup>F44</sup>the Council] .

#### **Textual Amendments**

- F42** Words in Sch. 1 para. 14 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 37\(a\)](#); S.I. 2012/1319, art. 2(4)
- F43** Words in Sch. 1 para. 14(a) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 37\(b\)](#); S.I. 2012/1319, art. 2(4)
- F44** Words in Sch. 1 para. 14(b) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 37\(c\)](#); S.I. 2012/1319, art. 2(4)

#### **Commencement Information**

- I10** Sch. 1 para. 14 not in force at Royal Assent see s. 122; Sch. 1 para. 14 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 14 in force for E. for certain purposes

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in so far as not already in force at 9.4.2001 by S.I. 2001/1193, **arts. 1(3), 2(3)(b)**; Sch. 1 para. 14 in force for E. for certain purposes at 7.5.2001 by S.I. 2001/1536, **arts. 1(3), 2(2)(a)(ii)**

### *Training*

15 <sup>F45</sup> .....

#### **Textual Amendments**

**F45** Sch. 1 para. 15 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, **Sch. 14 Pt. 2**; S.I. 2004/759, **art. 13**

### *Payments to authorities*

16 [<sup>F46</sup>The Welsh Ministers] may make payments to [<sup>F47</sup>the Welsh Council] of such amounts, at such times and on such conditions (if any) as [<sup>F48</sup>they consider] appropriate.

#### **Textual Amendments**

- F46** Words in Sch. 1 para. 16 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 15 para. 38(a)**; S.I. 2012/1319, art. 2(4)
- F47** Words in Sch. 1 para. 16 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 15 para. 38(b)**; S.I. 2012/1319, art. 2(4)
- F48** Words in Sch. 1 para. 16 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 15 para. 38(c)**; S.I. 2012/1319, art. 2(4)

#### **Commencement Information**

**I11** Sch. 1 para. 16 not in force at Royal Assent see s. 122; Sch. 1 para. 16 in force for W. at 1.4.2001 for certain purposes by S.I. 2000/2992, **art. 2(2), Sch. 2**; Sch. 1 para. 16 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by S.I. 2001/1193, **arts. 1(3), 2(3)(b)**; Sch. 1 para. 16 in force for E. for certain purposes at 7.5.2001 by S.I. 2001/1536, **arts. 1(3), 2(2)(a)(ii)**

### *Fees*

17 <sup>F49</sup> .....

#### **Textual Amendments**

**F49** Sch. 1 para. 17 repealed (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 196, 199, **Sch. 14 Pt. 2**; S.I. 2004/759, **art. 13**

### *Accounts*

- 18 (1) [<sup>F50</sup>The Welsh Council] must keep accounts in such form as [<sup>F51</sup>the Welsh Ministers] may determine.
- (2) [<sup>F52</sup>The Council] must prepare annual accounts in respect of each financial year in such form as [<sup>F53</sup>the Welsh Ministers] may determine.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Care Standards Act 2000, SCHEDULE 1 is up to date with all changes known to be in force on or before 15 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (3) [<sup>F54</sup>The Council] must send copies of the annual accounts to [<sup>F55</sup>the Welsh Ministers] and [<sup>F56</sup>the Auditor General for Wales] within such period after the end of the financial year to which the accounts relate as [<sup>F55</sup>the Welsh Ministers] may determine.
- (4) [<sup>F57</sup>The Auditor General for Wales] must examine, certify and report on the annual accounts and must lay copies of the accounts and of his report before [<sup>F58</sup>the Assembly] .
- (5) In this paragraph and paragraph 19 “financial year”, in relation to [<sup>F59</sup>the Council] , means—
  - (a) the period beginning with the date on which [<sup>F60</sup>the Council] is established and ending with the next 31st March following that date; and
  - (b) each successive period of twelve months ending with 31st March.

#### Textual Amendments

- F50** Words in Sch. 1 para. 18(1) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(2)(a)**; S.I. 2012/1319, art. 2(4)
- F51** Words in Sch. 1 para. 18(1) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(2)(b)**; S.I. 2012/1319, art. 2(4)
- F52** Words in Sch. 1 para. 18(2) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(3)(a)**; S.I. 2012/1319, art. 2(4)
- F53** Words in Sch. 1 para. 18(2) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(3)(b)**; S.I. 2012/1319, art. 2(4)
- F54** Words in Sch. 1 para. 18(3) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(4)(a)**; S.I. 2012/1319, art. 2(4)
- F55** Words in Sch. 1 para. 18(3) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(4)(b)**; S.I. 2012/1319, art. 2(4)
- F56** Words in Sch. 1 para. 18(3) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(4)(c)**; S.I. 2012/1319, art. 2(4)
- F57** Words in Sch. 1 para. 18(4) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(5)(a)**; S.I. 2012/1319, art. 2(4)
- F58** Words in Sch. 1 para. 18(4) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(5)(b)**; S.I. 2012/1319, art. 2(4)
- F59** Words in Sch. 1 para. 18(5) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(6)(a)**; S.I. 2012/1319, art. 2(4)
- F60** Words in Sch. 1 para. 18(5)(a) substituted (1.8.2012) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 15 para. 39(6)(b)**; S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I12** Sch. 1 para. 18 not in force at Royal Assent see s. 122; Sch. 1 para. 18 in force for W. at 1.4.2001 for certain purposes by S.I. 2000/2992, art. 2(2), **Sch. 2**; Sch. 1 para. 18 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by S.I. 2001/1193, **arts. 1(3), 2(3)(b)**; Sch. 1 para. 18 in force for E. for certain purposes at 7.5.2001 by S.I. 2001/1536, **arts. 1(3), 2(2)(a)(ii)**

#### Reports and other information

- 19 (1) As soon as possible after the end of each financial year, [<sup>F61</sup>the Welsh Council] must make a report to [<sup>F62</sup>the Welsh Ministers] on the exercise of its functions during the year.

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- (2) [<sup>F63</sup>The Council] must provide [<sup>F64</sup>the Welsh Ministers] with such reports and information relating to the exercise of its functions as [<sup>F65</sup>they] may from time to time require.
- (3) A report made under sub-paragraph (1) must be published in a manner which [<sup>F66</sup>the Council] considers appropriate.

#### Textual Amendments

- F61** Words in Sch. 1 para. 19(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(2\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F62** Words in Sch. 1 para. 19(1) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(2\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F63** Words in Sch. 1 para. 19(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(3\)\(a\)](#); S.I. 2012/1319, art. 2(4)
- F64** Words in Sch. 1 para. 19(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(3\)\(b\)](#); S.I. 2012/1319, art. 2(4)
- F65** Word in Sch. 1 para. 19(2) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(3\)\(c\)](#); S.I. 2012/1319, art. 2(4)
- F66** Words in Sch. 1 para. 19(3) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 40\(4\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I13** Sch. 1 para. 19 not in force at Royal Assent see s. 122; Sch. 1 para. 19 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 19 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 19 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

#### *Application of seal and evidence*

- 20 The application of the seal of [<sup>F67</sup>the Welsh Council] must be authenticated by the signature—
- (a) of any member of [<sup>F68</sup>the Council] ; or
  - (b) of any other person who has been authorised by [<sup>F68</sup>the Council] (whether generally or specifically) for that purpose.

#### Textual Amendments

- F67** Words in Sch. 1 para. 20 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 41\(a\)](#); S.I. 2012/1319, art. 2(4)
- F68** Words in Sch. 1 para. 20(a)(b) substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 41\(b\)](#); S.I. 2012/1319, art. 2(4)

#### Commencement Information

- I14** Sch. 1 para. 20 not in force at Royal Assent see s. 122; Sch. 1 para. 20 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 20 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 20 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

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- 21 A document purporting to be duly executed under the seal of <sup>F69</sup>the Welsh Council] or to be signed on its behalf is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

#### Textual Amendments

- F69** Words in Sch. 1 para. 21 substituted (1.8.2012) by [Health and Social Care Act 2012 \(c. 7\), s. 306\(4\), Sch. 15 para. 42](#); [S.I. 2012/1319, art. 2\(4\)](#)

#### Commencement Information

- I15** Sch. 1 para. 21 not in force at Royal Assent see s. 122; Sch. 1 para. 21 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 21 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 21 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

#### General

- 22 In Schedule 1 to the <sup>M1</sup>Public Records Act 1958 (definition of public records), the following entries shall be inserted at the appropriate places in Part II of the Table at the end of paragraph 3—

““Care Council for Wales.”

“General Social Care Council.”

“National Care Standards Commission.””

#### Commencement Information

- I16** Sch. 1 para. 22 not in force at Royal Assent see s. 122; Sch. 1 para. 22 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 22 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 22 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

#### Marginal Citations

- M1** 1958 c. 51.

- 23 In the Schedule to the <sup>M2</sup>Public Bodies (Admission to Meetings) Act 1960 (bodies to which the Act applies), after paragraph (bc) of paragraph 1 there shall be inserted—

“(bd) the Care Council for Wales;

(be) the General Social Care Council;

(bf) the National Care Standards Commission;”.

#### Commencement Information

- I17** Sch. 1 para. 23 not in force at Royal Assent see s. 122; Sch. 1 para. 23 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992, art. 2\(2\), Sch. 2](#); Sch. 1 para. 23 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193, arts. 1\(3\), 2\(3\)\(b\)](#); Sch. 1 para. 23 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536, arts. 1\(3\), 2\(2\)\(a\)\(ii\)](#)

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### Marginal Citations

**M2** 1960 c. 67.

- 24 In the <sup>M3</sup>Parliamentary Commissioner Act 1967, in Schedule 2 (departments and authorities subject to investigation), the following entries shall be inserted at the appropriate places—

““General Social Care Council.””

““National Care Standards Commission.””

### Commencement Information

**I18** Sch. 1 para. 24 not in force at Royal Assent see s. 122; Sch. 1 para. 24 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992](#), [art. 2\(2\)](#), [Sch. 2](#); Sch. 1 para. 24 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193](#), [arts. 1\(3\)](#), [2\(3\)\(b\)](#); Sch. 1 para. 24 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), [arts. 1\(3\)](#), [2\(2\)\(a\)\(ii\)](#)

### Marginal Citations

**M3** 1967 c. 13.

- 25 In the <sup>M4</sup>House of Commons Disqualification Act 1975, in Part II of Schedule 1 (bodies of which all members are disqualified), the following entries shall be inserted at the appropriate places—

““The Care Council for Wales.””

““The General Social Care Council.””

““The National Care Standards Commission.””

### Commencement Information

**I19** Sch. 1 para. 25 not in force at Royal Assent see s. 122; Sch. 1 para. 25 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992](#), [art. 2\(2\)](#), [Sch. 2](#); Sch. 1 para. 25 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193](#), [arts. 1\(3\)](#), [2\(3\)\(b\)](#); Sch. 1 para. 25 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), [arts. 1\(3\)](#), [2\(2\)\(a\)\(ii\)](#)

### Marginal Citations

**M4** 1975 c. 24.

- 26 In the <sup>M5</sup>Northern Ireland Assembly Disqualification Act 1975, the same entries as are set out in paragraph 25 are inserted at the appropriate places in Part II of Schedule 1.

### Commencement Information

**I20** Sch. 1 para. 26 not in force at Royal Assent see s. 122; Sch. 1 para. 26 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992](#), [art. 2\(2\)](#), [Sch. 2](#); Sch. 1 para. 26 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193](#), [arts. 1\(3\)](#), [2\(3\)\(b\)](#); Sch. 1 para. 26 in force for E. for certain purposes at 7.5.2001 by [S.I. 2001/1536](#), [arts. 1\(3\)](#), [2\(2\)\(a\)\(ii\)](#)

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### Marginal Citations

**M5** 1975 c. 25.

- 27 In the <sup>M6</sup>Government of Wales Act 1998—
- (a) <sup>F70</sup> .....
  - (b) in Schedule 4 (public bodies subject to reform by Assembly), after paragraph 3 there shall be inserted—  
“3A The Care Council for Wales.”
  - (c) <sup>F71</sup> .....
  - (d) <sup>F72</sup> .....

### Textual Amendments

- F70** Sch. 1 para. 27(a) repealed by [Government of Wales Act 2006 \(c. 32\)](#), s. 163, [Sch. 12](#), the amending provision coming into force immediately after the 2007 election (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of the initial period (which ended with the day of the first appointment of a First Minister on 25.5.2007) see ss. 46, 161(1)(4)(5) of the amending Act.
- F71** Sch. 1 para. 27(c) repealed (1.4.2006) by [Public Services Ombudsman \(Wales\) Act 2005 \(c. 10\)](#), ss. 39, 40, [Sch. 7](#); [S.I. 2005/2800](#), [art. 5\(1\)](#)
- F72** Sch. 1 para. 27(d) and preceding word repealed (1.4.2005) by [Public Audit \(Wales\) Act 2004 \(c. 23\)](#), ss. 72, 73, [Sch. 4](#); [S.I. 2005/558](#), [art. 2](#), [Sch. 1](#)

### Commencement Information

- I21** Sch. 1 para. 27 not in force at Royal Assent see s. 122; Sch. 1 para. 27 in force for W. at 1.4.2001 for certain purposes by [S.I. 2000/2992](#), [art. 2\(2\)](#), [Sch. 2](#); Sch. 1 para. 27 in force for E. for certain purposes in so far as not already in force at 9.4.2001 by [S.I. 2001/1193](#), [arts. 1\(3\)](#), 2(3)(b)

### Marginal Citations

**M6** 1998 c. 38.

**Status:**

Point in time view as at 01/07/2013.

**Changes to legislation:**

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