

Status: Point in time view as at 01/12/2000.

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SCHEDULES

VALID FROM 16/03/2001

SCHEDULE 1 **E+W**

Sections 6, 54 and 66.

THE COMMISSION AND THE COUNCILS

.....

SCHEDULE 2 **E+W**

Section 72.

THE CHILDREN'S COMMISSIONER FOR WALES

Status

- 1 (1) The Commissioner is to be a corporation sole.
- (2) The Commissioner is not to be regarded as the servant or agent or the Crown or as enjoying any status, immunity or privilege of the Crown; and the Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.

Commencement Information

I28 Sch. 2 para. 1 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Appointment and tenure of office

- 2 Regulations may make provision—
 - (a) as to the appointment of the Commissioner (including any conditions to be fulfilled for appointment);
 - (b) as to the filling of vacancies in the office of Commissioner;
 - (c) as to the tenure of office of the Commissioner (including the circumstances in which he ceases to hold office or may be removed or suspended from office).

Commencement Information

I29 Sch. 2 para. 2 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

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Remuneration

- 3 The Assembly shall—
- (a) pay the Commissioner such remuneration and allowances; and
 - (b) pay, or make provision for the payment of, such pension or gratuities to or in respect of him,
- as may be provided for under the terms of his appointment.

Commencement Information

I30 Sch. 2 para. 3 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Staff

- 4 (1) The Commissioner may appoint any staff he considers necessary for assisting him in the exercise of his functions, one of whom shall be appointed as deputy Commissioner.
- (2) During any vacancy in the office of Commissioner or at any time when the Commissioner is for any reason unable to act, the deputy Commissioner shall exercise his functions (and any property or rights vested in the Commissioner may accordingly be dealt with by the deputy as if vested in him).
- (3) Without prejudice to sub-paragraph (2), any member of the Commissioner’s staff may, so far as authorised by him, exercise any of his functions.

Commencement Information

I31 Sch. 2 para. 4 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

General powers

- 5 (1) Subject to any directions given by the Assembly, the Commissioner may do anything which appears to him to be necessary or expedient for the purpose of, or in connection with, the exercise of his 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.

Commencement Information

I32 Sch. 2 para. 5 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

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Estimates

- 6
- (1) For each financial year after the first, the Commissioner shall prepare, and submit to the executive committee, an estimate of his income and expenses.
 - (2) Each such estimate shall be submitted to the executive committee at least five months before the beginning of the financial year to which it relates.
 - (3) The executive committee shall examine each such estimate submitted to it and, after having done so, shall lay the estimate before the Assembly with any such modifications as the committee thinks fit.
 - (4) Regulations shall specify the periods which are to be treated as the first and subsequent financial years of the Commissioner.
 - (5) In this paragraph and paragraph 10 “executive committee” has the same meaning as in the ^{M7}Government of Wales Act 1998.

Commencement Information

I33 Sch. 2 para. 6 in force for W. at 13.11.2000 by [S.I. 2000/2992](#), art. 2(1), [Sch. 1](#)

Marginal Citations

M7 [1998 c. 38](#).

Accounts

- 7
- (1) The Commissioner shall keep proper accounting records.
 - (2) The Commissioner shall prepare accounts for each financial year in such form as the Assembly may with the consent of the Treasury determine.

Commencement Information

I34 [Sch. 2 para. 7](#) in force for W. at 13.11.2000 by [S.I. 2000/2992](#), art. 2(1), [Sch. 1](#)

Reports

- 8
- Regulations may provide for the Commissioner to make periodic or other reports to the Assembly relating to the exercise of his functions and may require the reports to be published in the manner required by the regulations.

Commencement Information

I35 [Sch. 2 para. 8](#) in force for W. at 13.11.2000 by [S.I. 2000/2992](#), art. 2(1), [Sch. 1](#)

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Audit

- 9 (1) The accounts prepared by the Commissioner for any financial year shall be submitted by him to the Auditor General for Wales not more than five months after the end of that year.
- (2) The Auditor General for Wales shall—
- (a) examine and certify any accounts submitted to him under this paragraph; and
 - (b) no later than four months after the accounts are submitted to him, lay before the Assembly a copy of them as certified by him together with his report on them.
- (3) In examining any accounts submitted to him under this paragraph, the Auditor General for Wales shall, in particular, satisfy himself that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority which governs it.

Commencement Information

I36 Sch. 2 para. 9 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Accounting officer

- 10 (1) The accounting officer for the Commissioner’s Office shall be the Commissioner.
- (2) The accounting officer for the Commissioner shall have, in relation to the accounts of the Commissioner and the finances of the Commissioner’s Office, the responsibilities which are from time to time specified by the Treasury.
- (3) In this paragraph references to responsibilities include in particular—
- (a) responsibilities in relation to the signing of accounts;
 - (b) responsibilities for the propriety and regularity of the finances of the Commissioner’s Office; and
 - (c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Commissioner’s Office are used.
- (4) The responsibilities which may be specified under this paragraph include responsibilities owed to—
- (a) the Assembly, the executive committee or the Audit Committee; or
 - (b) the House of Commons or its Committee of Public Accounts.
- (5) If requested to do so by the House of Commons Committee of Public Accounts, the Audit Committee may—
- (a) on behalf of the Committee of Public Accounts take evidence from the accounting officer for the Commissioner’s Office; and
 - (b) report to the Committee of Public Accounts and transmit to that Committee any evidence so taken.
- (6) In this paragraph and paragraphs 11 and 12 “the Commissioner’s Office” means the Commissioner and the members of his staff.

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Commencement Information

I37 Sch. 2 para. 10 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Examinations into use of resources

- 11 (1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Commissioner has used the resources of the Commissioner’s Office in discharging his functions.
- (2) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Commissioner.
- (3) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.
- (4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.
- (5) The Auditor General for Wales and the Comptroller and Auditor General may co-operate with, and give assistance to, each other in connection with the carrying out of examinations in respect of the Commissioner under this paragraph or section 7 of the ^{M8}National Audit Act 1983 (economy etc. examinations).

Commencement Information

I38 Sch. 2 para. 11 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Marginal Citations

M8 1983 c. 44.

Examinations by the Comptroller and Auditor General

- 12 (1) For the purpose of enabling him to carry out examinations into, and report to Parliament on, the finances of the Commissioner’s Office, the Comptroller and Auditor General—
- (a) shall have a right of access at all reasonable times to all such documents in the custody or under the control of the Commissioner, or of the Auditor General for Wales, as he may reasonably require for that purpose; and
- (b) shall be entitled to require from any person holding or accountable for any of those documents any assistance, information or explanation which he reasonably thinks necessary for that purpose.
- (2) The Comptroller and Auditor General shall—
- (a) consult the Auditor General for Wales; and
- (b) take into account any relevant work done or being done by the Auditor General for Wales,
- before he acts in reliance on sub-paragraph (1) or carries out an examination in respect of the Commissioner under section 7 of the National Audit Act 1983 (economy etc. examinations).

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Commencement Information

I39 Sch. 2 para. 12 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Evidence

- 13 A document purporting to be duly executed under the seal of the Commissioner or to be signed by him or on his behalf is to be received in evidence and, unless the contrary is proved, taken to be so executed or signed.

Commencement Information

I40 Sch. 2 para. 13 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Payments

- 14 The Assembly may make payments to the Commissioner of such amounts, at such times and on such conditions (if any) as it considers appropriate.

Commencement Information

I41 Sch. 2 para. 14 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

General

- 15 In the ^{M9}House of Commons Disqualification Act 1975, in Part III of Schedule 1 (certain disqualifying offices), the following entries are inserted at the appropriate places—

“Children’s Commissioner for Wales.”

“Member of the staff of the Children’s Commissioner for Wales.”

Commencement Information

I42 Sch. 2 para. 15 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Marginal Citations

M9 1975 c. 24.

- 16 In the ^{M10}Northern Ireland Assembly Disqualification Act 1975, the same entries as are set out in paragraph 15 are inserted at the appropriate places in Part III of Schedule 1.

Commencement Information

I43 Sch. 2 para. 16 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

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Marginal Citations

M10 1975 c. 25.

- 17 (1) Regulations may provide that the office of Children’s Commissioner for Wales shall be added to the list of “ Offices ” in Schedule 1 to the ^{M11}Superannuation Act 1972 (offices etc. to which section 1 of that Act applies).
- (2) The Assembly shall pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of any increase attributable to provision made under sub-paragraph (1) in the sums payable out of money provided by Parliament under the Superannuation Act 1972.

Commencement Information

I44 Sch. 2 para. 17 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Marginal Citations

M11 1972 c.11.

- 18 In section 144 of the ^{M12}Government of Wales Act 1998 (accounts etc.), in subsection (8)(a), after “the Welsh Administration Ombudsman” there shall be inserted “ the Children’s Commissioner for Wales ”.

Commencement Information

I45 Sch. 2 para. 18 in force for W. at 13.11.2000 by S.I. 2000/2992, art. 2(1), Sch. 1

Marginal Citations

M12 1998 c. 38.

VALID FROM 26/08/2001

[^{F1}SCHEDULE 2A **E+W**

PERSONS SUBJECT TO REVIEW BY THE COMMISSIONER UNDER SECTION 72B.]

Textual Amendments

F1 Sch. 2A inserted (26.8.2001 for W.) by 2001 c. 18, s. 3(2), Sch. Pt. 1; S.I. 2001/2783, art. 2(2)(c)

Commencement Information

I46 Sch. 2A in force for W. at 26.8.2001 by S.I. 2001/2782, art. 2(2)(j)

Status: Point in time view as at 01/12/2000.

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VALID FROM 26/08/2001

[^{F3}SCHEDULE 2B **E+W**

PERSONS WHOSE ARRANGEMENTS ARE SUBJECT TO
 REVIEW BY THE COMMISSIONER UNDER SECTION 73.]

Textual Amendments

F3 Sch. 2B inserted (26.8.2001 for W.) by 2001 c. 18, s. 4(10), **Sch. Pt. 2**; S.I. 2001/2783, **art. 2(2)(d)**

Commencement Information

I47 Sch. 2B in force for W. at 26.8.2001 by S.I. 2001/2782, **art. 2(2)(k)**

VALID FROM 01/07/2001

SCHEDULE 3 **E+W**

Section 79.

CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN

Commencement Information

I48 Sch. 3 wholly in force at 1.4.2002; Sch. 3 not in force at Royal Assent see s. 122; Sch. 3 in force for E. at 2.7.2001 by S.I. 2001/2041, arts. 1(4), 2(1)(b) (subject to art. 2(2)(3)) (with transitional, transitory and savings provisions in art. 3, Sch.); Sch. 3 in force for W. for certain purposes at 1.7.2001 by S.I. 2001/2190, art. 2, Sch. Table; Sch. 3 in force for W. in so far as not already in force at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)(5) and to transitional provisions in Schs. 1-3)

The following Schedule shall be inserted in the 1989 Act after Schedule 9—

“SCHEDULE 9A **E+W**

CHILD MINDING AND DAY CARE FOR YOUNG CHILDREN

Exemption of certain schools

- 1 (1) Except in prescribed circumstances, Part XA does not apply to provision of day care within sub-paragraph (2) for any child looked after in—
- (a) a maintained school;
 - (b) a school assisted by a local education authority;
 - (c) a school in respect of which payments are made by the Secretary of State or the Assembly under section 485 of the ^{M13}Education Act 1996;
 - (d) an independent school.

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- (2) The provision mentioned in sub-paragraph (1) is provision of day care made by—
- (a) the person carrying on the establishment in question as part of the establishment's activities; or
 - (b) a person employed to work at that establishment and authorised to make that provision as part of the establishment's activities.

- (3) In sub-paragraph (1)—
- “assisted” has the same meaning as in the ^{M14}Education Act 1996;
- “maintained school” has the meaning given by section 20(7) of the ^{M15}School Standards and Framework Act 1998.

Exemption for other establishments

- 2 (1) Part XA does not apply to provision of day care within sub-paragraph (2) for any child looked after—
- (a) in an appropriate children's home;
 - (b) in a care home;
 - (c) as a patient in a hospital (within the meaning of the Care Standards Act 2000);
 - (d) in a residential family centre.
- (2) The provision mentioned in sub-paragraph (1) is provision of day care made by—
- (a) the department, authority or other person carrying on the establishment in question as part of the establishment's activities; or
 - (b) a person employed to work at that establishment and authorised to make that provision as part of the establishment's activities.

Exemption for occasional facilities

- 3 (1) Where day care is provided on particular premises on less than six days in any year, that provision shall be disregarded for the purposes of Part XA if the person making it has notified the registration authority in writing before the first occasion on which the premises concerned are so used in that year.
- (2) In sub-paragraph (1) “year” means the year beginning with the day (after the commencement of paragraph 5 of Schedule 9) on which the day care in question was or is first provided on the premises concerned and any subsequent year.

Disqualification for registration

- 4 (1) Regulations may provide for a person to be disqualified for registration for child minding or providing day care.
- (2) The regulations may, in particular, provide for a person to be disqualified where—
- (a) he is included in the list kept under section 1 of the ^{M16}Protection of Children Act 1999;
 - (b) he is included on the grounds mentioned in subsection (6ZA)(c) of section 218 of the ^{M17}Education Reform Act 1988 in the list kept for the purposes of regulations made under subsection (6) of that section;
 - (c) an order of a prescribed kind has been made at any time with respect to him;

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- (d) an order of a prescribed kind has been made at any time with respect to any child who has been in his care;
 - (e) a requirement of a prescribed kind has been imposed at any time with respect to such a child, under or by virtue of any enactment;
 - (f) he has at any time been refused registration under Part X or Part XA or any prescribed enactment or had any such registration cancelled;
 - (g) he has been convicted of any offence of a prescribed kind, or has been placed on probation or discharged absolutely or conditionally for any such offence;
 - (h) he has at any time been disqualified from fostering a child privately;
 - (j) a prohibition has been imposed on him at any time under section 69, section 10 of the ^{M18}Foster Children (Scotland) Act 1984 or any prescribed enactment;
 - (k) his rights and powers with respect to a child have at any time been vested in a prescribed authority under a prescribed enactment.
- (3) Regulations may provide for a person who lives—
- (a) in the same household as a person who is himself disqualified for registration for child minding or providing day care; or
 - (b) in a household at which any such person is employed,
- to be disqualified for registration for child minding or providing day care.
- (4) A person who is disqualified for registration for providing day care shall not provide day care, or be concerned in the management of, or have any financial interest in, any provision of day care.
- (5) No person shall employ, in connection with the provision of day care, a person who is disqualified for registration for providing day care.
- (6) In this paragraph “enactment” means any enactment having effect, at any time, in any part of the United Kingdom.
- 5 (1) If any person—
- (a) acts as a child minder at any time when he is disqualified for registration for child minding; or
 - (b) contravenes any of sub-paragraphs (3) to (5) of paragraph 4,
- he shall be guilty of an offence.
- (2) Where a person contravenes sub-paragraph (3) of paragraph 4, he shall not be guilty of an offence under this paragraph if he proves that he did not know, and had no reasonable grounds for believing, that the person in question was living or employed in the household.
- (3) Where a person contravenes sub-paragraph (5) of paragraph 4, he shall not be guilty of an offence under this paragraph if he proves that he did not know, and had no reasonable grounds for believing, that the person whom he was employing was disqualified.
- (4) A person guilty of an offence under this paragraph shall be liable on summary conviction to imprisonment for a term not exceeding six months, or to a fine not exceeding level 5 on the standard scale, or to both.

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Certificates of registration

- 6 (1) If an application for registration is granted, the registration authority shall give the applicant a certificate of registration.
- (2) A certificate of registration shall give prescribed information about prescribed matters.
- (3) Where, due to a change of circumstances, any part of the certificate requires to be amended, the registration authority shall issue an amended certificate.
- (4) Where the registration authority is satisfied that the certificate has been lost or destroyed, the authority shall issue a copy, on payment by the registered person of any prescribed fee.
- (5) For the purposes of Part XA, a person is—
- (a) registered for providing child minding (in England or in Wales); or
 - (b) registered for providing day care on any premises,
- if a certificate of registration to that effect is in force in respect of him.

Annual fees

- 7 Regulations may require registered persons to pay to the registration authority at prescribed times an annual fee of a prescribed amount.

Co-operation between authorities

- 8 (1) Where it appears to the Chief Inspector that any local authority in England could, by taking any specified action, help in the exercise of any of his functions under Part XA, he may request the help of that authority specifying the action in question.
- (2) Where it appears to the Assembly that any local authority in Wales could, by taking any specified action, help in the exercise of any of its functions under Part XA, the Assembly may request the help of that authority specifying the action in question.
- (3) An authority whose help is so requested shall comply with the request if it is compatible with their own statutory or other duties and obligations and does not unduly prejudice the discharge of any of their functions.”

Marginal Citations

- M13 1996 c. 56.
M14 1996 c. 56.
M15 1998 c. 31.
M16 1999 c. 14.
M17 1988 c. 40.
M18 1984 c. 56.

Marginal Citations

- M13 1996 c. 56.
M14 1996 c. 56.
M15 1998 c. 31.
M16 1999 c. 14.

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M17 1988 c. 40.

M18 1984 c. 56.

SCHEDULE 4 **E+W**

Section 116.

MINOR AND CONSEQUENTIAL AMENDMENTS

VALID FROM 01/04/2002

National Assistance Act 1948 (c.29)

- 1 (1) Section 26 of the National Assistance Act 1948 (provision of accommodation in premises maintained by voluntary organisations) shall be amended as follows.
- (2) In subsection (1), for “(1B)” there shall be substituted “ (1C) ”.
- (3) For subsections (1A) and (1B) there shall be substituted—
- “(1A) Arrangements must not be made by virtue of this section for the provision of accommodation together with nursing or personal care for persons such as are mentioned in section 3(2) of the Care Standards Act 2000 (care homes) unless—
- (a) the accommodation is to be provided, under the arrangements, in a care home (within the meaning of that Act) which is managed by the organisation or person in question; and
- (b) that organisation or person is registered under Part II of that Act in respect of the home.”
- (4) In subsection (1C), for the words from “no” to “person” there shall be substituted “ no arrangements may be made by virtue of this section for the provision of accommodation together with nursing ”.

Commencement Information

I49 Sch. 4 para. 1 wholly in force at 1.4.2002; Sch. 4 para. 1 not in force at Royal Assent see s. 122; Sch. 4 para. 1 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 1 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Mental Health Act 1959 (c.72)

- 2 In section 128 of the Mental Health Act 1959 (sexual intercourse with patients)

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- (a) in subsection (1), in paragraph (a), for “or mental nursing home” there shall be substituted “, independent hospital or care home ” and in paragraph (b), for the words from “a residential” to the end there shall be substituted “ a care home ”; and
- (b) after subsection (5) there shall be inserted—

“(6) In this section “independent hospital” and “care home” have the same meanings as in the Care Standards Act 2000.”

Commencement Information

I50 Sch. 4 para. 2 wholly in force at 1.4.2002; Sch. 4 para. 2 not in force at Royal Assent see s. 122; Sch. 4 para. 2 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 2 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Children and Young Persons Act 1969 (c.54)

3 In section 23(12) of the Children and Young Persons Act 1969 (remands and committals to local authority accommodation)—

- (a) at the appropriate place, there shall be inserted—

““children’s home” has the same meaning as in the Care Standards Act 2000;”

and

- (b) in the definition of “secure accommodation”—
 - (i) for “community home, a voluntary home or a registered children’s home” there shall be substituted “ children’s home in respect of which a person is registered under Part II of the Care Standards Act 2000 ”; and
 - (ii) at the end there shall be inserted “ or the National Assembly for Wales ”.

Commencement Information

I51 Sch. 4 para. 3 wholly in force at 1.4.2002; Sch. 4 para. 3 not in force at Royal Assent see s. 122; Sch. 4 para. 3 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 3 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

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VALID FROM 01/04/2002

Local Authority Social Services Act 1970 (c.42)

- 4 In Schedule 1 to the Local Authority Social Services Act 1970 (enactments conferring functions assigned to social services committee), in the entry relating to the 1989 Act, for “registered” there shall be substituted “ private ” and for “residential care, nursing or mental nursing homes or in independent schools” there shall be substituted “ care homes, independent hospitals or schools ”.

Commencement Information

- I52** Sch. 4 para. 4 wholly in force at 1.4.2002; Sch. 4 para. 4 not in force at Royal Assent see s. 122; Sch. 4 para. 4 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 4 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/07/2001

Adoption Act 1976 (c.36)

- 5 (1) The Adoption Act 1976 shall be amended as follows.
- (2) In section 1 (establishment of adoption service)—
- (a) in subsections (1), (3) and (4), for “approved adoption societies” and “approved adoption society”, in each place where those words occur, there shall be substituted, respectively, “ appropriate voluntary organisation ” and “ appropriate voluntary organisations ”; and
 - (b) after subsection (4) there shall be inserted—

“(5) In this Act “appropriate voluntary organisation” means a voluntary organisation which is an adoption society in respect of which a person is registered under Part II of the Care Standards Act 2000.”
- (3) In section 2 (local authorities’ social services), in paragraph (a), for “registered” there shall be substituted “ private ” and for “residential care, nursing or mental nursing homes or in independent schools” there shall be substituted “ care homes, independent hospitals or schools ”.
- (4) In section 4(3) of that Act (power of Secretary of State to make directions where approval of adoption society is withdrawn or expires), for the words from “Where” to “expires” there shall be substituted “ Where, by virtue of the cancellation of the registration of any person under Part II of the Care Standards Act 2000, a body has ceased to be an appropriate voluntary organisation ”.
- (5) In section 8 (inactive or defunct adoption societies)—

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

- (a) in subsection (1), for the words from “an approved” to “expired” there shall be substituted “ a body which is or has been an appropriate voluntary organisation ”; and
 - (b) for “society”, in each place where it occurs, there shall be substituted “ organisation ”.
- (6) In section 9 (regulation of adoption agencies)—
- (a) in subsection (2), for “an approved adoption society” there shall be substituted “ an appropriate voluntary organisation ”;
 - (b) after that subsection there shall be inserted—
 - “(2A) The power under subsection (2) includes in particular power to make in relation to an appropriate voluntary organisation any provision which regulations under section 22(2) or (7) of the Care Standards Act 2000 (regulation of establishments and agencies) may make in relation to a fostering agency (within the meaning of that Act).”;
 - (c) after subsection (3) there shall be inserted—
 - “(3A) The power under subsection (3) includes in particular power to make in relation to the functions there mentioned any provision which regulations under section 48 of the Care Standards Act 2000 (regulation of the exercise of relevant fostering functions) may make in relation to relevant fostering functions (within the meaning of Part III of that Act).”;
- and
- (d) in subsection (4), after “(2)” there shall be inserted “ or (3) ”.
- (7) In section 11 (restriction on arranging adoptions and placing of children)—
- (a) in subsection (2), for “approved under section 3 of this Act” there shall be substituted “ an appropriate voluntary organisation ”; and
 - (b) in subsection (3)(a), for “which is not an adoption agency” there shall be substituted “which is not—
 - (i) a local authority; or
 - (ii) a voluntary adoption agency within the meaning of the Care Standards Act 2000 in respect of which he is registered.”.
- (8) In section 32 (meaning of “protected child”)—
- (a) in subsection (3)(a)(i), for “community home, voluntary home or registered children’s home” there shall be substituted “ children’s home in respect of which a person is registered under Part II of the Care Standards Act 2000 ”; and
 - (b) in subsection (3A), for “ “community home”, “voluntary home”, “registered children’s home”” there shall be substituted “ “children’s home” ”.
- (9) For section 51(3)(d)(i) there shall be substituted—
“(i) which is an appropriate voluntary organisation”.
- (10) In section 58A(1) (information concerning adoption), for “approved adoption society” there shall be substituted “ appropriate voluntary organisation ”.

Status: Point in time view as at 01/12/2000.

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(11) In section 72(1) (interpretation), for the definition of “approved adoption society” there shall be substituted—

““appropriate voluntary organisation” has the meaning assigned by section 1(5);”

Commencement Information

I53 Sch. 4 para. 5 partly in force; Sch. 4 para. 5 not in force at Royal Assent see s. 122; Sch. 4 para. 5(6) in force for W. at 1.7.2001 by S.I. 2001/2190, art. 2, Sch. Table; Sch. 4 para. 5(1)(3)(8) in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 5(1)(3)(8) in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3); Sch. 4 para. 5(2)(4)(5)(7)(a)(9)-(11) in force for W. at 30.1.2003 by S.I. 2003/152, art. 2(1); Sch. 4 para. 5(2)(b)(6)(a)-(c) in force for E. for certain purposes at 24.2.2003 and para. 5 in force for E. so far as not already in force (other than in relation to para. 5(6)(d)(7)(b)) at 30.4.2003 by S.I. 2003/365, art. 3(2)(5)

VALID FROM 28/09/2009

Adoption (Scotland) Act 1978 (c.28)

F56

Textual Amendments

F5 Sch. 4 para. 6 repealed (S.) (28.9.2009) by Adoption and Children (Scotland) Act 2007 (asp 4), ss. 120(2), 121(2), sch. 3; S.S.I. 2009/267, arts. 1(2), 2; and Sch. 4 para. 6, in so far as it is still in force, also expressed to be repealed (15.7.2011) by The Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740), art. 1(2), Sch. 2 Pt. 3

VALID FROM 02/07/2001

Magistrates' Court Act 1980 (c. 43)

7

In Schedule 6 to the Magistrates' Court Act 1980 (fees), in the entry relating to family proceedings, in the paragraph relating to the 1989 Act, for “Part X” there shall be substituted “ Part XA ”.

Commencement Information

I54 Sch. 4 para. 7 wholly in force at 1.4.2002; Sch. 4 para. 7 not in force at Royal Assent see s. 122; Sch. 4 para. 7 in force for E. at 2.7.2001 by S.I. 2001/2041, arts. 1(4), 2(1)(d)(i) (subject to art. 2(2)(3)) (with

Status: Point in time view as at 01/12/2000.

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transitional, transitory and savings provisions in art. 3, Sch.); Sch. 4 para. 7 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Limitation Act 1980 (c.58)

- 8 In section 38 of the Limitation Act 1980 (interpretation)—
- (a) in subsection (3), for the words from “within” to the end there is substituted “ is incapable of managing and administering his property and affairs; and in this section “mental disorder” has the same meaning as in the ^{M19}Mental Health Act 1983 ”; and
 - (b) in subsection (4)(b), after “receiving treatment” there shall be inserted “ for mental disorder ” and for “or mental nursing home within the meaning of the Nursing Homes Act 1975” there shall be substituted “ or independent hospital or care home within the meaning of the Care Standards Act 2000 ”.

Commencement Information

I55 Sch. 4 para. 8 wholly in force at 1.4.2002; Sch. 4 para. 8 not in force at Royal Assent see s. 122; Sch. 4 para. 8 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 8 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Marginal Citations

M19 1980 c. 20.

VALID FROM 01/04/2002

Mental Health Act 1983 (c.20)

- 9 (1) The Mental Health Act 1983 shall be amended as follows.
- (2) In sections 12(3), 23(3), 24(3), 46(1), 64(1), 119(2), 120(1) and (4), 131(1), 132(1), (2) and (4) and 133(1), for “mental nursing home” and “mental nursing homes” in each place where they occur, there shall be substituted, respectively, “ registered establishment ” and “ registered establishments ”.
 - (3) In paragraph (b) of section 24(3) (visiting and examination of patients), for “Part II of the Registered Homes Act 1984” there shall be substituted “ Part II of the Care Standards Act 2000 ”.
 - (4) In section 34—
 - (a) in subsection (1), after the definition of “the nominated medical attendant” there shall be inserted—

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

““registered establishment” means an establishment—

- (a) which would not, apart from subsection (2) below, be a hospital for the purposes of this Part; and
- (b) in respect of which a person is registered under Part II of the Care Standards Act 2000 as an independent hospital in which treatment or nursing (or both) are provided for persons liable to be detained under this Act;”

and

- (b) in subsection (2), for the words from “a mental” to “1984” there shall be substituted “ a registered establishment ”.
- (5) In section 116(1) (welfare of certain hospital patients), for “or nursing home” there shall be substituted “ , independent hospital or care home ”.
- (6) In section 118(1) (code of practice)—
- (a) for the first “and mental nursing homes” there shall be substituted “ , independent hospitals and care homes ”; and
 - (b) for the second “and mental nursing homes” there is substituted “ and registered establishments ”.
- (7) In section 121 (Mental Health Act Commission)—
- (a) in subsection (4), for “and mental nursing homes” there shall be substituted “ , independent hospitals and care homes ”; and
 - (b) in subsection (5), in paragraphs (a) and (b), for “a mental nursing home” there shall be substituted “ an independent hospital or a care home ”.
- (8) In section 127(1) (ill-treatment of patients), for “or mental nursing home” there shall be substituted “ , independent hospital or care home ”.
- (9) In section 135(6) (warrant to search for and remove patients) for “a mental nursing home or residential home” there shall be substituted “ an independent hospital or care home ”.
- (10) In section 145(1) (interpretation)—
- (a) after the definition of “approved social worker” there shall be inserted—
 - ““care home” has the same meaning as in the Care Standards Act 2000”;
 - (b) after the definition of “hospital order” and “guardianship order” there shall be inserted—
 - ““independent hospital” has the same meaning as in the Care Standards Act 2000;”
 - (c) in the definition of “the managers”, for paragraph (c) there shall be substituted—
 - “(c) in relation to a registered establishment, the person or persons registered in respect of the establishment;”
- and
- (d) after the definition of “Primary Care Trust” there shall be inserted—
 - ““registered establishment” has the meaning given in section 34 above;”.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

Commencement Information

- I56** Sch. 4 para. 9 wholly in force at 1.4.2002; Sch. 4 para. 9 not in force at Royal Assent see s. 122; Sch. 4 para. 9 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 9 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Public Health (Control of Disease) Act 1984 (c.22)

- 10 In section 7(4) of the Public Health (Control of Disease) Act 1984 (port health district and authority for Port of London), paragraphs (h) and (i) and the “and” following paragraph (i) shall be omitted.

Commencement Information

- I57** Sch. 4 para. 10 partly in force; Sch. 4 para. 10 not in force at Royal Assent see s. 122; Sch. 4 para. 10 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6)

VALID FROM 01/04/2002

Disabled Persons (Services, Consultation and Representation) Act 1986 (c.33)

- 11 In section 2(5)(d) of the Disabled Persons (Services, Consultation and Representation) Act 1986 (rights of authorised representatives of disabled persons), for “a residential care home within the meaning of Part I of the Registered Homes Act 1984” there shall be substituted “ a care home within the meaning of the Care Standards Act 2000 ”.

Commencement Information

- I58** Sch. 4 para. 11 wholly in force at 1.4.2002; Sch. 4 para. 11 not in force at Royal Assent see s. 122; Sch. 4 para. 11 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 11 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Status: Point in time view as at 01/12/2000.

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PROSPECTIVE

Adoption (Northern Ireland) Order 1987 (S.I. 1987/2203 (N.I.22))

- 12 In Article 11(2) of the Adoption (Northern Ireland) Order 1987 (restriction on arranging adoptions and placing children), for “approved as respects England and Wales under section 3 of the Adoption Act 1976 or as respects Scotland” there shall be substituted “ in respect of which a person is registered under Part II of the Care Standards Act 2000 or ^{F6}... as respects Scotland ”.

Textual Amendments

- F6** Words in Sch. 4 para. 12 repealed (15.7.2011) by The Adoption and Children (Scotland) Act 2007 (Consequential Modifications) Order 2011 (S.I. 2011/1740), art. 1(2), Sch. 1 Pt. 3

VALID FROM 02/07/2001

Income and Corporation Taxes Act 1988 (c.40)

- 13 In section 155A(6) of the Income and Corporation Taxes Act 1988 (care for children), after “section 71” there shall be inserted “ or Part XA ”.

Commencement Information

- I59** Sch. 4 para. 13 wholly in force at 1.4.2002; Sch. 4 para. 13 not in force at Royal Assent see s. 122; Sch. 4 para. 13 in force for E. at 2.7.2001 by S.I. 2001/2041, arts. 1(4), 2(1)(d)(i) (subject to art. 2(2)(3)) (with transitional, transitory and savings provisions in art. 3, Sch.); Sch. 4 para. 13 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Children Act 1989 (c.41)

- 14 (1) The 1989 Act shall be amended as follows.
- (2) In section 19 (review of provision of day care, child minding etc.)—
- (a) in subsection (1)(c), for “section 71(1)(b)” there shall be substituted “ Part XA ”; and
 - (b) in subsection (5), for the definition of “relevant establishment” there shall be substituted—

““relevant establishment” means—

 - (a) in relation to Scotland, any establishment which is mentioned in paragraphs 3 and 4 of Schedule 9 (establishments exempt from the registration requirements

Status: Point in time view as at 01/12/2000.

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- which apply in relation to the provision of day care in Scotland); and
- (b) in relation to England and Wales, any establishment which is mentioned in paragraphs 1 and 2 of Schedule 9A (establishments exempt from the registration requirements which apply in relation to the provision of day care in England and Wales);”.
- (3) In section 23 (provision of accommodation and maintenance by local authority for children whom they are looking after)—
- (a) in subsection (2), for paragraphs (b) to (e) there shall be substituted—
- “(aa) maintaining him in an appropriate children’s home;”;
- (b) after subsection (2) there shall be inserted—
- “(2A) Where under subsection (2)(aa) a local authority maintains a child in a home provided, equipped and maintained by the Secretary of State under section 82(5), it shall do so on such terms as the Secretary of State may from time to time determine.”;
- and
- (c) after subsection (9) there shall be inserted—
- “(10) In this Act—
- “appropriate children’s home” means a children’s home in respect of which a person is registered under Part II of the Care Standards Act 2000; and
- “children’s home” has the same meaning as in that Act.”
- (4) In section 24 (advice and assistance for certain children) ^{F7} . . . —
- (a) in subsections (2)(c) and (12)(a), for “registered” there shall be substituted “private”; and
- (b) in subsections (2)(d)(ii) and (12)(c), for “residential care home, nursing home or mental nursing home” there shall be substituted “care home or independent hospital”.
- ^{F8}(5)
- ^{F8}(6)
- (7) In section 51(1) (refuges for children at risk), for “registered” there shall be substituted “private”.
- (8) In section 59 (provision of accommodation by voluntary organisations)—
- (a) in subsection (1), for paragraphs (b) to (e) there shall be substituted—
- “(aa) maintaining him in an appropriate children’s home;”;
- and
- (b) after that subsection there shall be inserted—
- “(1A) Where under subsection (1)(aa) a local authority maintains a child in a home provided, equipped and maintained by the Secretary of State under section 82(5), it shall do so on such terms as the Secretary of State may from time to time determine.”

Status: Point in time view as at 01/12/2000.

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- (9) In section 60 (registration and regulation of voluntary homes)—
- (a) for the sidenote there shall be substituted “ Voluntary homes. ”; and
 - (b) for subsection (3) there shall be substituted—

“(3) In this Act “voluntary home” means a children’s home which is carried on by a voluntary organisation but does not include a community home.”
- (10) In section 62 (duties of local authorities in relation to children provided with accommodation by voluntary organisations)—
- (a) in subsection (6)(c), for “paragraph 7 of Schedule 5” there shall be substituted “ section 22 of the Care Standards Act 2000 ”; and
 - (b) after subsection (9) there shall be inserted—

“(10) This section does not apply in relation to any voluntary organisation which is a school.”
- (11) In section 63 (children not to be cared for and accommodated in unregistered children’s homes)—
- (a) for the sidenote there is substituted “ Private children’s homes etc. ”;
 - (b) in subsection (11), after “to” there shall be inserted “ private ”; and
 - (c) in subsection (12), after “treated” there shall be inserted “ , for the purposes of this Act and the Care Standards Act 2000, ”.
- (12) In section 64 (welfare of children in children’s homes), in subsections (1) and (4), before “children’s home” there shall be inserted “ private ”.
- (13) In section 65 (persons disqualified from carrying on, or being employed in, children’s homes)—
- (a) in subsections (1) and (2), for “the responsible authority” and “their” there shall be substituted “ the appropriate authority ” and “ its ” respectively;
 - (b) in subsection (3), for the words from “an” to “they” there shall be substituted “ the appropriate authority refuses to give its consent under this section, it ”;
 - (c) for subsection (3)(b) there shall be substituted—

“(b) the applicant’s right to appeal under section 65A against the refusal to the Tribunal established under section 9 of the ^{M20}Protection of Children Act 1999”;
- and
- (d) after subsection (5) there shall be inserted—

“(6) In this section and section 65A “appropriate authority” means—

 - (a) in relation to England, the National Care Standards Commission; and
 - (b) in relation to Wales, the National Assembly for Wales.”
- (14) After section 65 there is inserted—

“65A Appeal against refusal of authority to give consent under section 65.

- (1) An appeal against a decision of an appropriate authority under section 65 shall lie to the Tribunal established under section 9 of the ^{M21}Protection of Children Act 1999.

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- (2) On an appeal the Tribunal may confirm the authority’s decision or direct it to give the consent in question.”
- (15) In section 66 (privately fostered children)—
- (a) in subsection (1)(a) after “accommodation” there shall be inserted “ in their own home ”; and
- (b) after subsection (4) there shall be inserted—
- “(4A) The Secretary of State may by regulations make provision as to the circumstances in which a person who provides accommodation to a child is, or is not, to be treated as providing him with accommodation in the person’s own home.”
- (16) In section 80 (inspection of children’s homes etc by persons authorised by Secretary of State)—
- (a) in subsections (1)(a) and (5)(c), before “children’s” there shall be inserted “ private ”;
- (b) in subsection (1)(i), after “71(1)(b)” there shall be added “ or with respect to which a person is registered for providing day care under Part XA ”;
- (c) for subsection (1)(j) there shall be substituted—
- “(j) care home or independent hospital used to accommodate children;”
- and
- (d) in subsection (5), after paragraph (h) there shall be inserted—
- “(hh) person who is the occupier of any premises—
- (i) in which any person required to be registered for child minding under Part XA acts as a child minder (within the meaning of that Part); or
- (ii) with respect to which a person is required to be registered under that Part for providing day care;”.
- (17) In section 81(1) (inquiries)—
- (a) in paragraph (d), after “a” there shall be inserted “ private ”; and
- (b) in paragraph (e), for “a residential care home, nursing home or mental nursing home” there shall be substituted “ a care home or independent hospital ”.
- (18) In section 82(6) (financial support by Secretary of State), in the definition of “child care training”, for “residential care home, nursing home or mental nursing home” there shall be substituted “ care home or independent hospital ”.
- (19) In section 83 (research and returns of information), in subsections (1)(c), (2)(c) and (3)(a)(ii), for “residential care home, nursing home or mental nursing home” there shall be substituted “ care home or independent hospital ”.
- (20) In section 86—
- (a) for the sidenote there shall be substituted “ Children accommodated in care homes or independent hospitals. ”; and
- (b) in subsections (1) and (5), for “residential care home, nursing home or mental nursing home” there shall be substituted “ care home or independent hospital ”.

Status: Point in time view as at 01/12/2000.

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- (21) For the sidenote to section 87 (welfare of children accommodated in independent schools) there shall be substituted “Welfare of children in boarding schools and colleges.”.
- (22) In section 102(6)(a) (power of constable to assist in exercise of certain powers to search for children or inspect premises), after “76,” there shall be inserted “79U,”.
- (23) In section 105 (interpretation)—
- (a) in subsection (1)—
- (i) after the definition of “adoption agency” there shall be inserted—
- ““appropriate children’s home” has the meaning given by section 23;”
- (ii) after the definition of “bank holiday” there shall be inserted—
- ““care home” has the same meaning as in the Care Standards Act 2000;”
- (iii) for the definition of “children’s home” there shall be substituted—
- ““children’s home” has the meaning given by section 23;”
- (iv) in the definition of “day care”, after “care” there shall be inserted “(except in Part XA)”;
- (v) in the definition of “hospital”, after “hospital” there shall be inserted “(except in Schedule 9A)”;
- (vi) after the definition of “income-based jobseeker’s allowance” there shall be inserted—
- ““independent hospital” has the same meaning as in the Care Standards Act 2000;”
- and
- (vii) after the definition of “prescribed” there shall be inserted—
- ““private children’s home” means a children’s home in respect of which a person is registered under Part II of the Care Standards Act 2000 which is not a community home or a voluntary home;”;
- and
- (b) after subsection (5) there shall be inserted—
- “(5A) References in this Act to a child minder shall be construed—
- (a) in relation to Scotland, in accordance with section 71;
- (b) in relation to England and Wales, in accordance with section 79A.”.
- (24) In Schedule 3 (supervision orders), in paragraphs 4(2)(c)(ii) and 5(2)(c), for “or mental nursing home” there shall be substituted “, independent hospital or care home”.
- (25) In Schedule 6 (registered children’s homes)—
- (a) in the heading, for “Registered Children’s Homes” there shall be substituted “Private Children’s Homes”; and
- (b) in paragraph 10(1)(a), for “registered” there shall be substituted “private”.

Status: Point in time view as at 01/12/2000.

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(26) In paragraph 5(1) of Schedule 7 (foster parents: limit on number of foster children), after “treated” there shall be inserted “, for the purposes of this Act and the Care Standards Act 2000 ”.

(27) In Schedule 8 (privately fostered children)—

- (a) in paragraph 2, sub-paragraph (1)(b) shall cease to have effect, and in sub-paragraph (2), for “(1)(b)” there shall be substituted “ (1)(c) ”; and
- (b) in paragraph 9(1), for “2(1)(d)” there shall be substituted “ 2(1)(c) and (d) ”, and at the end there shall be inserted—

“But this sub-paragraph does not apply to a school which is an appropriate children’s home.”.

(28) For paragraph 2(1)(f) of Schedule 8 (privately fostered children) there shall be substituted—

“(f) in any care home or independent hospital;”.

(29) In paragraph 4(1) of Schedule 9 (child minding and day care for young children)—

- (a) for paragraphs (a) to (c) there shall be substituted—

“(aa) an appropriate children’s home;”

and

- (b) for paragraph (d) there shall be substituted—

“(d) a care home;”.

Textual Amendments

F7 Words in [Sch. 4 para. 14\(4\)](#) repealed (30.11.2000) by [2000 c. 35, s. 7\(5\)\(a\)](#)

F8 [Sch. 4 para. 14\(5\)\(6\)](#) repealed (30.11.2000) by [2000 c. 35, s. 7\(5\)\(b\)](#)

Commencement Information

I60 [Sch. 4 para. 14](#) partly in force; [Sch. 4 para. 14](#) not in force at Royal Assent see [s. 122](#); [Sch. 4 para. 14\(15\)](#) in force for E. at 1.1.2001 by [S.I. 2000/2795, art. 2\(2\)\(b\)](#) (with [art. 3](#)); [Sch. 4 para. 14\(15\)](#) in force for W. at 28.2.2001 by [S.I. 2001/139, arts. 1\(3\), 2\(2\)\(b\)](#) (with transitional provisions in [art. 3](#)); [Sch. 4 para. 14\(1\)\(2\)\(16\)\(b\)\(d\)\(23\)\(a\)\(iv\)\(v\)\(b\)](#) in force for E. at 2.7.2001 by [S.I. 2001/2041, arts. 1\(4\), 2\(1\)\(d\)\(i\)](#) (subject to [art. 2\(2\)\(3\)](#)) (with transitional, transitory and savings provisions in [art. 3, Sch.](#))

Marginal Citations

M20 [1999 c. 14.](#)

M21 [1999 c. 14.](#)

VALID FROM 01/04/2002

National Health Service and Community Care Act 1990 (c.19)

15

In section 48(1) of the National Health Service and Community Care Act 1990 (inspection of premises used for the provision of community care), for “the Registered Homes Act 1984” there shall be substituted “ Part II of the Care Standards Act 2000 ”.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

Commencement Information

- I61** Sch. 4 para. 15 wholly in force at 1.4.2002; Sch. 4 para. 15 not in force at Royal Assent see s. 122; Sch. 4 para. 15 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 15 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c.25)

- 16 In paragraph 4(2)(a) of Schedule 2 to the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (supervision and treatment orders), for “hospital or mental nursing home” there shall be substituted “ independent hospital or care home within the meaning of the Care Standards Act 2000 or in a hospital ”.

Commencement Information

- I62** Sch. 4 para. 16 wholly in force at 1.4.2002; Sch. 4 para. 16 not in force at Royal Assent see s. 122; Sch. 4 para. 16 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 16 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Criminal Justice Act 1991 (c.53)

- 17 In section 61(2) of the Criminal Justice Act 1991 (provision by local authorities of secure accommodation), for the words from “voluntary” to the end there shall be substituted “ persons carrying on an appropriate children’s home for the provision or use by them of such accommodation ”.

Commencement Information

- I63** Sch. 4 para. 17 wholly in force at 1.4.2002; Sch. 4 para. 17 not in force at Royal Assent see s. 122; Sch. 4 para. 17 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 17 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

VALID FROM 02/07/2001

Water Industry Act 1991 (c.56)

VALID FROM 01/04/2002

- 18 In Schedule 4A to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges), for paragraphs 8 and 9 there shall be substituted—
- “8 (1) A care home or independent hospital.
- (2) In this paragraph—
- “care home” means—
- (a) a care home within the meaning of the Care Standards Act 2000;
- (b) a building or part of a building in which residential accommodation is provided under section 21 of the ^{M22}National Assistance Act 1948;
- “independent hospital” means an independent hospital within the meaning of the Care Standards Act 2000.
- 9 A children’s home within the meaning of the Care Standards Act 2000.”

Commencement Information

I64 Sch. 4 para. 18 wholly in force at 1.4.2002; Sch. 4 para. 18 not in force at Royal Assent see s. 122; Sch. 4 para. 18 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 18 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Marginal Citations

M22 1948 c. 29.

- 19 In Schedule 4A to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges), in paragraph 12 for “section 71(1)(b)” there shall be substituted “ Part XA ”.

Commencement Information

I65 Sch. 4 para. 19 wholly in force at 1.4.2002; Sch. 4 para. 19 not in force at Royal Assent see s. 122; Sch. 4 para. 19 in force for E. at 2.7.2001 by S.I. 2001/2041, arts. 1(4), 2(1)(d)(i) (subject to art. 2(2)(3)) (with transitional, transitory and savings provisions in art. 3, Sch.); Sch. 4 para. 19 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

VALID FROM 01/04/2002

Local Government Finance Act 1992 (c.14)

- 20 In paragraph 7 of Schedule 1 to the Local Government Finance Act 1992 (persons disregarded for purposes of discount)—
- (a) in sub-paragraph (1)(a), for “residential care home, nursing home, mental nursing home” there shall be substituted “ care home, independent hospital ”;
 - (b) in sub-paragraph (1)(b), after “home” there shall be inserted “ , hospital ”;
 - (c) for sub-paragraph (2), there shall be substituted—
 - “(2) In this paragraph—
 - “care home” means—
 - (a) a care home within the meaning of the Care Standards Act 2000; or
 - (b) a building or part of a building in which residential accommodation is provided under section 21 of the ^{M23}National Assistance Act 1948;
 - “hostel” means anything which falls within any definition of hostel for the time being prescribed by order made by the Secretary of State under this sub-paragraph;
 - “independent hospital” has the same meaning as in the Care Standards Act 2000.”
- and
- (d) in sub-paragraph (3), for “ “mental nursing home”, “nursing home” or “residential care home”” there shall be substituted “ “care home” or “independent hospital” ”.

Commencement Information

I66 Sch. 4 para. 20 wholly in force at 1.4.2002; Sch. 4 para. 20 not in force at Royal Assent see s. 122; Sch. 4 para. 20 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 20 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Marginal Citations

M23 1948 c. 29.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

VALID FROM 01/04/2002

Tribunals and Inquiries Act 1992 (c.53)

- 21 In Schedule 1 to the Tribunals and Inquiries Act 1992 (tribunals under supervision of Council), paragraph 36A (inserted by paragraph 8 of the Schedule to the ^{M24}Protection of Children Act 1999) is renumbered as paragraph 36B and, in the first column of that paragraph, after “Protection of children” there shall be inserted “ and vulnerable adults, and care standards ”.

Commencement Information

I67 Sch. 4 para. 21 partly in force; Sch. 4 para. 21 not in force at Royal Assent see s. 122; Sch. 4 para. 21 in force for E. with the exception of certain words at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2) (3)(b) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 21 in force for W. with the exception of certain words at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3); Sch. 4 para. 21 otherwise in force for W. at 1.2.2003 by S.I. 2003/152, art. 2(2)

Marginal Citations

M24 1999 c. 14.

PROSPECTIVE

Criminal Justice and Public Order Act 1994 (c.33)

- 22 In section 2 of the Criminal Justice and Public Order Act 1994 (secure training orders: supplementary provisions as to detention)—
- (a) in subsection (5), for “registered children’s home” there shall be substituted “ private children’s home ”; and
 - (b) in subsection (8), for “registered children’s home” there shall be substituted “ private children’s home ”.

VALID FROM 01/04/2002

Children (Scotland) Act 1995 (c.36)

- 23 In section 93 of the Children (Scotland) Act 1995 (interpretation of Part II)—
- (a) in paragraph (b) of the definition of “residential establishment”, for “registered” there shall be substituted “ private ”; and
 - (b) in the definition of “secure accommodation”, for “paragraph 4(2)(i) of Schedule 4 to the Children Act 1989” there shall be substituted “ section 22(8)(a) of the Care Standards Act 2000 ”.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

Commencement Information

- 168** Sch. 4 para. 23 partly in force; Sch. 4 para. 23 not in force at Royal Assent see s. 122; Sch. 4 para. 23 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6)

VALID FROM 01/04/2002

Education Act 1996 (c.56)

- 24 (1) The Education Act 1996 shall be amended as follows.
- (2) In section 467(2) (provision of information about registered and provisionally registered schools), for “Children Act 1989” there shall be substituted “ Care Standards Act 2000 ”.
- (3) In section 469(4) (notice of complaint by Secretary of State), after “school is” there shall be inserted “ unsuitable to work with children or is for any other reason ”.
- (4) In section 471(2)(a) (determination of complaint by Secretary of State), after “school is” there shall be inserted “ unsuitable to work with children or is for any other reason ”.

Commencement Information

- 169** Sch. 4 para. 24 partly in force; Sch. 4 para. 24 not in force at Royal Assent see s. 122; Sch. 4 para. 24(1)(2) in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 24(1)(2) in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 02/07/2001

Police Act 1997 (c.50)

- 25 (1) In section 113(3A) of the Police Act 1997 (criminal record certificates), for “suitability for” there shall be substituted “ suitability to be employed, supplied to work, found work or given work in ”.
- (2) In section 115 of that Act (enhanced criminal record certificates)—
- (a) in subsection (5)(e), for “or” there shall be substituted “ registration for child minding or providing day care under Part XA of that Act or registration under ”; and
- (b) in subsection (6A), for “suitability for” there shall be substituted “ suitability to be employed, supplied to work, found work or given work in ”.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

Commencement Information

- I70** Sch. 4 para. 25 wholly in force at 1.4.2002; Sch. 4 para. 25 not in force at Royal Assent see s. 122; Sch. 4 para. 25 in force for E. at 2.7.2001 by S.I. 2001/2041, arts. 1(4), 2(1)(d)(i) (subject to art. 2(2)(3)) (with transitional, transitory and savings provisions in art. 3, Sch.); Sch. 4 para. 25 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

Protection of Children Act 1999 (c.14)

- 26 (1) The Protection of Children Act 1999 shall be amended as follows.
- (2) In section 2 (inclusion in list on reference to Secretary of State)—
- (a) in subsection (2)(b), for “or retired”, in each place where those words occur, there shall be substituted “, retired or made redundant ”; and
 - (b) in subsection (8)(a), for “or retiring” there shall be substituted “, retiring or being made redundant ” and for “or retired” there shall be substituted “, retired or been made redundant ”.
- (2) In section 7 (effect of inclusion in the lists kept under section 1 of the 1999 Act and section 218(6) of the ^{M25}Education Reform Act 1988)—
- (a) after subsection (1) there shall be inserted—

“(1A) Where a child care organisation discovers that an individual employed by it in a child care position is included in any of the lists mentioned in subsection (1) above, it shall cease to employ him in a child care position.

For the purposes of this subsection an individual is not employed in a child care position if he has been suspended or provisionally transferred to a position which is not a child care position.”;
 - and
 - (b) in subsection (2), after “employment agency” there shall be inserted “ or an employment business ”.
- (3) In section 9 (the Tribunal)—
- (a) in subsection (2), for the words from “on an appeal” to the end there shall be substituted—
 - “(a) on an appeal or determination under section 4 above;
 - (b) on an appeal under regulations made under section 6 above;
 - (c) on an appeal under section 65A of the ^{M26}Children Act 1989 or under, or by virtue of, Part XA of that Act; or
 - (d) on an appeal or determination under section 21, 68, 86, 87 or 88 of the Care Standards Act 2000;”;
 - and
 - (b) after subsection (3), there shall be inserted—

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

- “(3A) The regulations may also include provision for enabling the Tribunal to make investigations for the purposes of a determination under section 87 or 88 of the Care Standards Act 2000; and the provision that may be made by virtue of subsection (3)(j) and (k) above includes provision in relation to such investigations.
- (3B) Regulations under this section may make different provision for different cases or classes of case.
- (3C) Before making in regulations under this section provision such as is mentioned in subsection (2)(c) or (d) above, the Secretary of State shall consult the National Assembly for Wales.”
- (4) In section 12 (interpretation)—
- (a) in subsection (1)—
- (i) in the definition of “employment agency”, for “has the same meaning” there shall be substituted “ and “employment business” have the same meanings ”; and
- (ii) after the definition of “harm” there shall be inserted—
- ““local authority” has the same meaning as in the Children Act 1989;”;
- and
- (b) after subsection (3) there shall be inserted—
- “(3A) For the purposes of this Act, an individual is made redundant if—
- (a) he is dismissed; and
- (b) for the purposes of the Employment Rights Act 1996 the dismissal is by reason of redundancy.”

Commencement Information

I71 Sch. 4 para. 26 wholly in force at 26.7.2004; Sch. 4 para. 26 not in force at Royal Assent see s. 122; Sch. 4 para. 26(1)(2)(4) in force at 2.10.2000 by S.I. 2000/2544, art. 2(2)(g) (with art. 3); Sch. 4 para. 26(3) in force for E. for certain purposes at 1.4.2002 by S.I. 2001/3852, arts. 1(4), 3(2)(7)(i) (subject to transitional provisions in Sch. 1 and with transitional provisions in Sch. 2) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); Sch. 4 para. 26(3) in force for W. for certain purposes at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3); Sch. 4 para. 26(1)(3) in force for W. for certain purposes at 5.3.2003 by S.I. 2003/501, art. 2; Sch. 4 para. 26(3) in force for E. for certain purposes at 7.3.2003 by S.I. 2003/933, art. 2(1); Sch. 4 para. 26(3) in force so far as not already in force at 26.7.2004 by S.I. 2004/1757, art. 2(c)

Marginal Citations

M25 1988 c. 40.

M26 1989 c. 41.

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

VALID FROM 30/04/2003

Adoption (Intercountry Aspects) Act 1999 (c.18)

- 27 In section 2 of the Adoption (Intercountry Aspects) Act 1999 (central authorities and accredited bodies)—
- (a) after subsection (2) there shall be inserted—
- “(2A) A voluntary adoption agency in respect of which a person is registered under Part II of the Care Standards Act 2000 is an accredited body for the purposes of the Convention if, in accordance with the conditions of the registration, the agency may provide facilities in respect of Convention adoptions and adoptions effected by Convention adoption orders.”;
- and
- (b) for subsection (5) there shall be substituted—
- “(5) In this section in its application to England and Wales, “voluntary adoption agency” has the same meaning as in the Care Standards Act 2000; and expressions which are also used in the ^{M27}Adoption Act 1976 (“the 1976 Act”) have the same meanings as in that Act.”

Commencement Information

I72 Sch. 4 para. 27 wholly in force at 1.6.2003; Sch. 4 para. 27 not in force at Royal Assent see s. 122; Sch. 4 para. 27 in force for W. at 30.4.2003 by S.I. 2003/501, art. 2(3)(a); Sch. 4 para. 27 in force for E. at 1.6.2003 by S.I. 2003/365, art. 3(6)(a)

Marginal Citations

M27 1976 c. 36.

VALID FROM 01/04/2002

Powers of Criminal Courts (Sentencing) Act 2000 (c.6)

- 28 (1) The Powers of Criminal Courts (Sentencing) Act 2000 shall be amended as follows.
- (2) In paragraph 5(3)(a) of Schedule 2 (additional requirements which may be included in probation orders), for “a hospital or mental nursing home” there shall be substituted “an independent hospital or care home within the meaning of the Care Standards Act 2000 or a hospital”.
- (3) In paragraph 6(2)(a) of Schedule 6 (requirements which may be included in supervision orders), for “a hospital or mental nursing home” there shall be

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substituted “ an independent hospital or care home within the meaning of the Care Standards Act 2000 or a hospital ”.

Commencement Information

I73 Sch. 4 para. 28 wholly in force at 1.4.2002; Sch. 4 para. 28 not in force at Royal Assent see s. 122; Sch. 4 para. 28 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4) (as amended by S.I. 2002/1493, art. 6); Sch. 4 para. 28 in force for W. at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3)

VALID FROM 01/04/2002

Amendments of local Acts

- 29 (1) Section 16 of the ^{M28}Greater London Council (General Powers) Act 1981 (exemption from provisions of Part IV of the Act of certain premises) shall be amended as follows.
- (2) For paragraph (g) there shall be substituted—
“ (g) used as a care home, or an independent hospital, within the meaning of the Care Standards Act 2000; ”
- (3) For paragraphs (gg) and (h) there shall be substituted—
“ (gg) used as a children’s home within the meaning of the Care Standards Act 2000 which is a home in respect of which a person is registered under Part II of that Act; ”
- (4) Paragraph (j) shall be omitted.

Commencement Information

I74 Sch. 4 para. 29 partly in force; Sch. 4 para. 29 not in force at Royal Assent see s. 122; Sch. 4 para. 29 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6)

Marginal Citations

M28 1981 c. xvii.

- 30 (1) Section 10(2) of the ^{M29}Greater London Council (General Powers) Act 1984 (exemption from provisions of Part IV of the Act of certain premises) shall be amended as follows.
- (2) For paragraph (c) there shall be substituted—
“ (c) used as a care home, or an independent hospital, within the meaning of the Care Standards Act 2000; ”
- (3) For paragraph (d) there shall be substituted—
“ (d) used as a children’s home within the meaning of the Care Standards Act 2000 which is a home in respect of which a person is registered under Part II of that Act; ”

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

(4) Paragraphs (f) and (l) shall be omitted.

Commencement Information

I75 Sch. 4 para. 30 partly in force; Sch. 4 para. 30 not in force at Royal Assent see s. 122; Sch. 4 para. 30 in force for E. at 1.4.2002 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(a) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, art. 6)

Marginal Citations

M29 1984 c. xxvii.

VALID FROM 01/07/2001

SCHEDULE 5 **E+W**

Section 117(1).

TRANSITIONAL PROVISIONS AND SAVINGS

SCHEDULE 6 **E+W**

Section 117(2).

REPEALS

Commencement Information

I79 Sch. 6 partly in force; Sch. 6 not in force at Royal Assent see s. 122; Sch. 6 in force for certain purposes at 2.10.2000 by S.I. 2000/2544, art. 2(1)(h); Sch. 6 in force for E. for certain purposes at 4.10.2001 by S.I. 2001/3331, arts. 1(3), 2(b); Sch. 6 in force for E. for certain purposes at 1.4.2002 by S.I. 2001/3852, arts. 1(4), 3(2)(7)(j) (subject to transitional provisions in Sch. 1 and with transitional provisions in Sch. 2) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); Sch. 6 in force for E. for certain purposes at 1.4.2003 by S.I. 2001/3852, arts. 1(4), 3(2)(8)(c) (subject to transitional provisions in Sch. 1 and with transitional provisions in Sch. 2) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); Sch. 6 in force for E. for certain purposes at 1.4.2002 and in force for E. for certain further purposes at 1.4.2003 by S.I. 2001/4150, arts. 1(2), 3(2)(3)(c)(4) (subject to transitional provisions in art. 4 and in S.I. 2002/1493, art. 4) (as amended by S.I. 2002/1493, 2002/1790, 2002/2001, 2002/3210); Sch. 6 in force for W. for certain purposes at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)-(10) and to transitional provisions in Schs. 1-3); Sch. 6 in force for W. for certain purposes at 30.1.2003 by S.I. 2003/152, art. 2(1); Sch. 6 in force for W. for certain purposes at 30.4.2003 by S.I. 2003/501, art. 2(3); Sch. 6 in force for E. for certain purposes at 30.4.2003 and 1.6.2003 by S.I. 2003/365, art. 3(5)(6) (subject to Sch.); Sch. 6 in force for W. for certain purposes at 2.10.2003 by S.I. 2003/2528, art. 2

Chapter

Short title

Extent of repeal

Status: Point in time view as at 01/12/2000.

Changes to legislation: Care Standards Act 2000 is up to date with all changes known to be in force on or before 10 July 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)

1948 c. 29.	National Assistance Act 1948.	Section 26(1E).
1957 c. 16.	Nurses Agencies Act 1957.	The whole Act.
1958 c. 51.	Public Records Act 1958.	In Schedule 1, in the Table at the end of paragraph 3, in Part II, the entry relating to the Care Council for Wales.
1963 c. 33.	London Government Act 1963.	Section 40(4)(i).
1970 c. 42.	Local Authority Social Services Act 1970.	In Schedule 1, in the entry relating to the Mental Health Act 1959, the words “and the Registered Homes Act 1984 so far as its provisions relate to mental nursing homes”, and the entry relating to the Registered Homes Act 1984.
1970 c. 44.	Chronically Sick and Disabled Persons Act 1970.	Section 18.
1972 c. 70.	Local Government Act 1972.	In Schedule 29, paragraph 30.
1973 c. 35.	Employment Agencies Act 1973.	In section 13(7), paragraphs (b) and (c) and the proviso.
1976 c. 36.	Adoption Act 1976.	Section 3. Section 4(1) and (2). In section 4(3), the word “concerned”. Section 5. Section 9(1).
1979 c. 36.	Nurses, Midwives and Health Visitors Act 1979.	In Schedule 7, paragraphs 8, 9 and 10.
1981 c. xvii.	Greater London Council (General Powers) Act 1981.	Section 16(j).
1983 c. 20.	Mental Health Act 1983.	In section 145(1), the definition of “mental nursing home”.
1983 c. 41.	Health and Social Services and Social Security Adjudications Act 1983.	In Schedule 2, paragraph 29.
1984 c. 22.	Public Health (Control of Disease) Act 1984.	In section 7(4), paragraphs (h) and (i) and the “and” following paragraph (i).
1984 c. 23.	Registered Homes Act 1984.	The whole Act.

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1984 c. xxvii.	Greater London Council (General Powers) Act 1984.	Section 10(2)(f) and (l).
1989 c. 41.	Children Act 1989.	Section 54. In section 58(1), the word “54(2)”. In section 60, subsections (1) and (2), and in subsection (3) (a), the words “(other than a small home)”. Section 63(1) to (10). In section 80(4), the word “or” before paragraph (d). In section 104(1), the word “54(2)”. In section 105(1), the definitions of “child minder”, “mental nursing home”, “nursing home”, “registered children’s home” and “residential care home”. In Schedule 4, in paragraph 4, sub-paragraphs (1)(b) and (c), (2) and (3). In Schedule 5, paragraphs 1 to 6, in paragraph 7, sub-paragraphs (1)(b) and (c) and (2) to (4), and paragraph 8. In Schedule 6, paragraphs 1 to 9 and in paragraph 10, sub-paragraphs (1)(b) and (c), (2) (a) to (k), (3) and (4). In Schedule 8, paragraph 2(1)(b) and in paragraph 9(1), the words “which is not maintained by a local education authority”. In Schedule 13, paragraph 49, in paragraph 73, sub-paragraphs (2) and (3) and in paragraph 74, sub-paragraphs (2) and (4).
1990 c. 19.	National Health Service and Community Care Act 1990.	In Schedule 9, paragraph 27.
1991 c. 20.	Registered Homes (Amendment) Act 1991.	The whole Act.

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1992 c. 53.	Tribunals and Inquiries Act 1992.	In Schedule 1, the entry relating to the Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984.
1993 c. 8.	Judicial Pensions and Retirement Act 1993.	In Schedule 5, the entry relating to a Chairman of a Registered Homes Tribunal constituted under the Registered Homes Act 1984. In Schedule 6, paragraph 55. In Schedule 7, paragraph 5(5) (xxxi).
1994 c. 19.	Local Government (Wales) Act 1994.	In Schedule 9, paragraph 5.
1996 c. 23.	Arbitration Act 1996.	In Schedule 3, paragraph 41.
1996 c. 56.	Education Act 1996.	In Schedule 37, paragraphs 58, 86, 88 and 89.
1997 c. 24.	Nurses, Midwives and Health Visitors Act 1997.	In Schedule 4, paragraph 3.
1999 c. 14.	Protection of Children Act 1999.	In section 2(9), the words “or an agency for the supply of nurses”. In section 7(2), the words “or an agency for the supply of nurses”. Section 10. In section 12(1), the definition of “agency for the supply of nurses”. Section 13(3) and (4).
1999 c. 18.	Adoption (Intercountry Aspects) Act 1999.	Section 10.

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