

SCHEDULE 7

Regulation 42

AMENDMENT OF THE NATIONAL CARE STANDARDS COMMISSION(1) (REGISTRATION) REGULATIONS 2001

1. The National Care Standards Commission (Registration) Regulations 2001(2) are amended in accordance with the following provisions of this Schedule.

2.—(1) In regulation 2 (interpretation)—

(a) in paragraph (1)—

(i) in the definition of “the Act”, at the end, add “or that Act as applied by the Care Standards Act 2000 (Extension of the Application of Part 2 to Adult Placement Schemes) (England) Regulations 2004(3)”;

(ii) after the definition of “the Act”, insert—

““adult placement scheme” has the same meaning as in the Adult Placement Schemes (England) Regulations 2004;”;

(iii) in the definition of “statement of purpose” insert—

“(cf) in relation to an adult placement scheme, the written statement to be compiled in accordance with regulation 4 of the Adult Placement Schemes (England) Regulations 2004;”.

(b) in paragraph (3), at the end, add—

“(d) to an agency shall include a reference to an adult placement scheme, and accordingly in relation to a scheme—

(i) reference to a registered provider carrying on an agency shall include reference to a registered provider carrying on an adult placement scheme;

(ii) reference to a registered manager managing an agency shall include reference to a registered manager managing an adult placement scheme; and

(iii) reference to a service user shall include reference to a service user who is placed under an adult placement scheme.”.

3. For regulation 8(1) (registers), substitute—

“(1) The Commission shall keep a register in respect of—

(a) each description of establishment or agency specified in section 4(8)(a) or (9)(a) of the Act; and

(b) adult placement schemes.”.

4. In regulation 9 (contents of certificate), in paragraph (e), after the words “by reference” insert “, where applicable,”.

5. In Schedule 1 (information to be supplied on an application for registration as a person who carries on an establishment or agency), in paragraph 4(4), after the words “unless otherwise provided in these Regulations”, insert “, and except where the applicant is applying for registration as the provider of an adult placement scheme and is a local authority or a National Health Service body”.

6. In Schedule 7 (particulars to be recorded in the registers kept by the commission)—

(1) The National Care Standards Commission was abolished by section 44 of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), and its functions have been transferred to the CSCI and the CHAI.

(2) S.I.2001/3969 as amended by S.I. 2002/865 and S.I. 2003/369.

(3) S.I. 2004/1972.

(4) Paragraph 4 of Schedule 1 was amended by S.I. 2003/1845.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in paragraph 6(a), the entry entitled “care home providing adult placement” is omitted; and
- (b) in paragraph 9—
 - (i) in the heading, for the words “nursing agencies and fostering agencies” substitute “nursing agencies, fostering agencies and adult placement schemes”; and
 - (ii) after paragraph (d) add—
 - “(e) adult placement schemes, the code APS.”.