
STATUTORY INSTRUMENTS

2004 No. 664

The Health and Social Care (Community Health and Standards) Act 2003 (Commission for Healthcare Audit and Inspection and Commission for Social Care Inspection) (Transitional and Consequential Provisions) Order 2004

Other functions of the NCSC – transitional provisions

13.—(1) Anything which immediately before 1st April 2004 is in the process of being done by or in relation to the NCSC may, if it relates to any function conferred on the NCSC by section 2A of the Protection of Children Act 1999(1) (“the 1999 Act”), be continued by the relevant transferee.

(2) Anything done by or in relation to the NCSC before 1st April 2004 for the purpose of, or in connection with, any function conferred on the NCSC under section 2A of the 1999 Act, is, so far as is required for continuing its effect, to have effect as if done by, or in relation to, the relevant transferee.

(3) Any reference to the NCSC in any document constituting or relating to anything to which paragraph (1) or (2) applies in relation to a function is, so far as is required for giving effect to those provisions, to be construed as a reference to the relevant transferee.

(4) In this article —

- (a) “CHAI function” means a function under section 2A of the 1999 Act carried out on the basis of evidence obtained by the NCSC in the exercise of its functions under Part 2 of the 2000 Act which have been transferred to the CHAI under section 102(1) of the Act;
- (b) “CSCI function” means a function under section 2A of the 1999 Act carried out on the basis of evidence obtained by the NCSC in the exercise of its functions under Part 2 of the 2000 Act which have been transferred to the CSCI under section 102(1) of the Act; and
- (c) “relevant transferee” means—
 - (i) in relation to a CHAI function, the CHAI, and
 - (ii) in relation to a CSCI function, the CSCI.