
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the sixth Commencement Order made under the Health and Social Care Act 2001 ("the Act") in relation to Wales.

Article 2 appoints 24th January 2004 as the day on which section 6(3) of the Act comes into force in Wales.

Article 3 appoints 31st January 2004 as the day on which section 12 of the Act comes into force in Wales.

Article 4 appoints 1 April 2004 as the day on which section 49 of the Act comes into force in Wales, in so far as that section is not already in force.

Section 6(3) inserts amendments into paragraph 16 of Schedule 2 to the National Health Service and Community Care Act 1990 which enables the National Assembly for Wales to make regulations and issue directions to NHS Trusts in Wales about the remuneration and other terms and conditions on which they employ staff and generally in connection with matters concerning the employment of staff.

Section 12 inserts a new section 19A into the National Health Service Act 1977. This new provision requires the National Assembly to arrange, to such extent as it considers necessary to meet all reasonable requirements, for the provision of independent advocacy services for people who wish to complain about the service they (or someone they care for) has received from the NHS.

Section 49 excludes nursing care by a registered nurse from the services which can be provided by local authorities pursuant to enactments relating to the provision of community care services.