

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Care Standards Act 2000. (See end of Document for details)

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

REGULATION OF SERVICES

Care Standards Act 2000

1 The Care Standards Act 2000 (c.14) is amended as follows.

Commencement Information

I1 Sch. 3 para. 1 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

2 In section 1—

- (a) in subsection (1), at the end insert “ as it applies in relation to England ”;
- (b) in subsection (2), after “establishment” insert “ in England ”;
- (c) subsection (4) is repealed;
- (d) in subsection (4A), the words “in England” are repealed;
- (e) the section heading becomes “ Children's homes in England ”.

Commencement Information

I2 Sch. 3 para. 2 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

3 In section 3—

- (a) in subsection (1), after “establishment” insert “ in England ”;
- (b) subsection (3) is repealed;
- (c) in subsection (4), the words “in England” are repealed;
- (d) the section heading becomes “ Care homes in England ”.

Commencement Information

I3 Sch. 3 para. 3 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

4 In section 4—

- (a) in subsection (2), after “establishment” insert “ in England ”;
- (b) in subsection (3), after “persons” insert “ in England ”;
- (c) in subsection (4)—
 - (i) in paragraph (a), after “authorities” insert “ in England ”;
 - (ii) in paragraph (b), after “organisation” insert “ in England ”;
- (d) subsection (5) is repealed;
- (e) in subsection (7), at the end insert “ whose principal office is in England ”;
- (f) in subsection (7A), for “has” substitute “ means an undertaking in England which is an adoption support agency within ”;
- (g) in subsection (8)(a)—

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- (i) in sub-paragraph (i), at the end insert “ in England ”;
- (ii) in sub-paragraph (ii), after “home” insert “ in England ”;
- (iii) sub-paragraph (vi) is repealed;
- (iv) in sub-paragraph (vii), at the end insert “ in England ”;
- (h) in subsection (9)(a), sub-paragraphs (ii) and (iii) are repealed;
- (i) in subsection (10), after “services” where it first occurs insert “ in England ”.

5 In section 5—

- [^{F1}(a) in subsection (1)(b), for “in any other case” substitute “in the case of establishments and agencies mentioned in subsection (1B)”]
- (b) in subsection (1A), after “agencies” insert “ mentioned in subsection (1)(a) ”;
- [^{F2}(c) after subsection (1A), insert—
 - “(1B) The establishments mentioned in subsection (1)(b) are—
 - (a) independent hospitals in Wales;
 - (b) independent clinics in Wales;
 - (c) independent medical agencies in Wales.”]
 - (d) subsection (2) is repealed.

Textual Amendments

- F1** Sch. 3 para. 5(a) substituted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **34(2)(a)**
- F2** Sch. 3 para. 5(c) substituted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **34(2)(b)**

Commencement Information

- I6** Sch. 3 para. 5 in force at 29.4.2019 by [S.I. 2019/864](#), art. 2(3)(d), **Sch.** (with arts. 3-13)

6 In section 8(6)—

- (a) in paragraph (a), for “section 5(b)” substitute “ section 5(1)(b) ”;
- (b) in paragraph (b) for sub-paragraphs (i) and (ii) substitute “by the Care Quality Commission—
 - (i) under Chapters 2 and 3 of Part 1 of the Health and Social Care Act 2008 in relation to health care in England, or
 - (ii) under the Mental Health Act 1983 in relation to England.”

Commencement Information

- I7** Sch. 3 para. 6 in force at 2.4.2018 by [S.I. 2017/1326](#), art. 2(3)(h), **Sch.** (with art. 6)

7 In section 14(2), after paragraph (f) insert—

- “(g) an offence under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016.”

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I8 Sch. 3 para. 7 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

8 In section 22—

(a) in subsection (1), for paragraph (b) substitute—

“(b) regulations made by the Welsh Ministers—

(i) may make provision only in relation to establishments for which the Welsh Ministers are the registration authority, and

(ii) may in particular make any provision such as is mentioned in subsection (2), (7) or (8) in so far as relevant to those establishments.”;

(b) subsections (3) and (4) are repealed.

Commencement Information

I9 Sch. 3 para. 8 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

9 In section 22B—

(a) in subsection (1), for “registration authority” substitute “CIECSS”;

(b) in subsection (3)(c), for “registration authority's” substitute “CIECSS's”;

(c) in subsection (4)(b), for “registration authority” substitute “CIECSS”;

(d) in subsection (5)(a), for “registration authority” substitute “CIECSS”;

(e) in subsection (6), for “registration authority” substitute “CIECSS”;

(f) in subsection (8)—

(i) in paragraph (a), at the end insert “in England”;

(ii) in paragraph (b), at the end insert “in England”.

Commencement Information

I10 Sch. 3 para. 9 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

10 In section 23, after subsection (1) insert—

“(1ZA) But the Welsh Ministers may prepare and publish such a statement only in relation to establishments for which the Welsh Ministers are the registration authority.”

Commencement Information

I11 Sch. 3 para. 10 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

11 In section 30A—

(a) in subsection (1), after “agency” insert “in England”;

(b) in subsection (2), for “registration authority” substitute “CIECSS”;

(c) in subsection (3), for “registration authority” substitute “CIECSS”;

(d) in subsection (7), in the definition of “prescribed”, paragraph (b) is repealed.

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Care Standards Act 2000. (See end of Document for details)

Commencement Information

I12 Sch. 3 para. 11 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

12 Section 36A is repealed.

Commencement Information

I13 Sch. 3 para. 12 in force at 29.4.2019 by S.I. 2019/864, art. 2(3)(d), Sch. (with arts. 3-13)

13 In section 42—
 (a) for subsection (2) substitute—
 “(2) This subsection applies to persons who provide services which are similar to services which may or must be provided by Welsh NHS bodies.”;
 (b) in subsection (7), the definition of “Welsh local authorities” is repealed.

Commencement Information

I14 Sch. 3 para. 13 in force at 29.4.2019 by S.I. 2019/864, art. 2(3)(d), Sch. (with arts. 3-13)

14 In section 43, after subsection (1) insert—
 “(1A) “Local authority” means a local authority in England.”

Commencement Information

I15 Sch. 3 para. 14 in force at 29.4.2019 by S.I. 2019/864, art. 2(3)(d), Sch. (with arts. 3-13)

15 In section 50(1), for “registration authority” substitute “CIECSS”.

Commencement Information

I16 Sch. 3 para. 15 in force at 29.4.2019 by S.I. 2019/864, art. 2(3)(d), Sch. (with arts. 3-13)

16 Section 79(3) is repealed.

Commencement Information

I17 Sch. 3 para. 16 in force at 2.4.2018 by S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)

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