

*These notes refer to the Care Standards Act 2000  
(c.14) which received Royal Assent on 20 July 2000*

# CARE STANDARDS ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part IX and Schedules 4, 5 and 6: General and Supplemental

##### *Chapter I: General*

##### *Section 113 Default powers of the appropriate Minister*

276. *Subsection (1)* confers default powers on the Secretary of State in respect of the Commission and the General Social Care Council (GSCC). *Subsection (2)* makes similar provision for default powers for the National Assembly for Wales in respect of the Care Council for Wales (CCW). If the appropriate Minister is satisfied that the Commission or the GSCC or the CCW has failed to discharge any of its functions, without good reason, or in discharging its functions has failed to comply with any directions or guidance given to it, this section confers a two-fold default power.
277. *Subsection (3)* details the first stage: the appropriate Minister may make an order declaring the Commission or Council to be in default and issue directions requiring them to take specific action within a specific timescale. If the Commission or Council fail to comply with the directions, the second stage (*subsection (4)*) is triggered. This results in the appropriate Minister either carrying out the functions himself or nominating a person or organisation to discharge these functions on his behalf.