

**2001 No. 3619 (C.117)**

**NATIONAL HEALTH SERVICE, ENGLAND  
NATIONAL ASSISTANCE, ENGLAND**

**The Health and Social Care Act 2001  
(Commencement No. 4) (England) Order 2001**

*Made - - - - - 19th October 2001*

The Secretary of State for Health, in exercise of the powers conferred upon him by sections 64(6) and 70(2) of the Health and Social Care Act 2001(a), hereby makes the following Order:

**Citation, interpretation and extent**

1.—(1) This Order may be cited as the Health and Social Care Act 2001 (Commencement No. 4) (England) Order 2001.

(2) In this Order—

- (a) “the Act” means the Health and Social Care Act 2001; and
- (b) a reference in an article to a numbered paragraph is to the paragraph in that article bearing that number.

(3) This Order extends to England only.

**Appointed day in respect of section 1 of the Act**

2.—(1) Subject to paragraph (2), 22nd October 2001 is the appointed day for the coming into force of section 1 of the Act.

(2) Section 1 shall have effect in relation to the determination of allotments and resource limits for the financial year beginning with 1st April 2002 and subsequent financial years.

**Appointed day in respect of parts of Schedule 5 to the Act**

3.—(1) 22nd October 2001 is the appointed day for the coming into force of section 67(1) of, and paragraph 15(1) and (3) of Schedule 5 to, the Act, in so far as they relate to functions in relation to the provision of residential accommodation only.

(2) 22nd October 2001 is the appointed day for the coming into force of paragraph 5(3) of Schedule 5 to the Act, and of section 67(1) of, and paragraph 5(1) of Schedule 5 to, the Act, in so far as they relate to the said paragraph 5(3).

Signed by authority of the Secretary of State for Health

19th October 2001

*Jacqui Smith*  
Minister of State,  
Department of Health

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(a) 2001 c. 15.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the fourth Commencement Order made under the Health and Social Care Act 2001 (“the Act”).

Article 2 brings into force in England, on 18th October 2001, section 1 of the Act which amends sections 97, 97AA, 97C and 97E of the National Health Service Act 1977 (c. 49), and relates to the determination of allotments and resource limits for the financial year beginning with 1st April 2002 and subsequent financial years.

Article 3 brings into force in England, on 18th October 2001, section 67(1) of, and parts of paragraph 15 of Schedule 5 to, the Act, in relation to functions in Part 4 of the Act in relation to the provision of residential accommodation. Those functions are to be added to Schedule 1 of the Local Authority Social Services Act 1970(a), which contains a list of functions referred to the social services committee of a local authority with social services responsibilities.

Article 3 also brings into force in England, on 18th October 2001, sub-paragraph (3) of paragraph 5 of Schedule 5 to the Act (and section 67(1) of the Act in so far as it relates to that sub-paragraph), which amends section 17 of the National Health Service Act 1977.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
section 3	1st August 2001	2001/2804
section 4	1st August 2001	2001/2804
section 6	1st October 2001	2001/3294
section 13	1st August 2001	2001/2804
section 27	1st October 2001	2001/3294
section 46 (partially)	1st August 2001	2001/2804
section 47	1st August 2001	2001/2804
section 48	1st August 2001	2001/2804
Schedule 4	1st August 2001	2001/2804
section 49 (partially)	1st October 2001	2001/3294
section 53	1st October 2001	2001/3167
section 54 (partially)	1st October 2001	2001/3167
section 55 (partially)	1st October 2001	2001/3167
section 67(1) (partially)	1st October 2001	2001/3294
Schedule 5 (partially)	1st October 2001	2001/3294

(a) 1970 c. 42.

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