
STATUTORY INSTRUMENTS

2002 No. 2215 (C. 70)

CHILDREN AND YOUNG PERSONS, ENGLAND

The Care Standards Act 2000 (Commencement
No. 16) (England) Order 2002

Made - - - - 28th August 2002

In exercise of the powers conferred on the Secretary of State by sections 118(1) and (7) and 122 of the Care Standards Act 2000⁽¹⁾, the Secretary of State for Education and Skills hereby makes the following Order:

Citation and extent

1.—(1) This Order may be cited as the Care Standards Act 2000 (Commencement No. 16) (England) Order 2002.

(2) This Order extends to England only.

Appointed day

2. 2nd September 2002 is the appointed day for the coming into force of section 79(1) of the Care Standards Act 2000 for the purpose of giving effect to the following provisions of Part XA of the Children Act 1989⁽²⁾, namely—

(a) section 79P(3); and

(b) section 79P(4)(a) to (c).

3. For the purposes of paragraph 1(3) of the Schedule to the Care Standards Act 2000 (Commencement No. 7 (England) and Transitional, Transitory and Savings Provisions) Order 2001, 2nd September 2002 shall be deemed the day appointed for the coming into force of section 79(1) for the purposes of giving effect to section 79P(3) and (4) of the Children Act 1989 notwithstanding the fact that section 79P(4)(d) has not been commenced.

(1) 2000 c. 14. The powers are exercisable by the appropriate Minister, who is defined, in section 121(1), in relation to England, Scotland and Northern Ireland as the Secretary of State.

(2) 1989 c. 41.

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28th August 2002

Catherine Ashton
Parliamentary Under-Secretary of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

The Order brings into force on 2nd September 2002 in relation to England only section 79(1) of the Care Standards Act 2000 in order to give effect to the following provisions of Part XA of the Children Act 1989. (Part XA was added to the Children Act 1989 by the Care Standards Act 2000):

Section 79P(3) which applies certain provisions relating to the register of nursery education inspectors set out in paragraphs 8, 9, 10 and 11 of Schedule 26 to the School Standards and Framework Act 1998⁽³⁾ to the register of child care inspectors to be maintained by Ofsted under Section 79P(1);

Section 79P(4) (a) to (c) which set out modifications to the provisions of Schedule 26 listed in Section 79P(3) that shall apply in relation to the register of child care inspectors.

The Care Standards Act 2000 (Commencement Order No. 7 (England) and Transitional, Transitory and Savings Provisions) Order 2001 (S.I.2001/2041) provides that the fourth and final transitional period shall come to an end upon commencement of Sections 79P(3) and (4) of the Children Act 1989. It is no longer necessary to implement 79P(4)(d) which has been superseded by paragraph 5 of Schedule 14 to the Education Act 2002 and will be repealed when that provision is brought into force. It is therefore necessary to provide that the fourth transitional period for the introduction of the changes made to the Children Act 1989 by the Care Standards Act 2000 shall come to an end upon the commencement of 79P(3) and (4) (a) to (c) notwithstanding the fact that not all provisions of section 79P(4) have been brought into force.

All other provisions of Part XA and Schedule 9A have been brought into force or will come into force on 2nd September 2002.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Care Standards Act 2000 have been brought into force—

(a) in relation to England (as well as Wales) by the Care Standards Act 2000 (Commencement No. 1) Order 2000 (S.I. 2000/2544) (C. 72); and

(b) in relation to England by—

the Care Standards Act 2000 (Commencement No. 1) (England and Transitional Provisions) Order 2000 (S.I. 2000/2795) (C. 79);

the Care Standards Act 2000 (Commencement No. 2) (England and Transitional Provisions) Order 2001 (S.I. 2001/290) (C. 17);

the Care Standards Act 2000 (Commencement No. 3) (England) Order 2001 (S.I. 2001/731) (C. 26);

the Care Standards Act 2000 (Commencement No. 4) (England) Order 2001 (S.I. 2001/1193) (C. 39);

(3) 1998 c. 31.

the Care Standards Act 2000 (Commencement No. 5) (England) Order 2001 (S.I. [2001/1210](#)) (C. 41);

the Care Standards Act 2000 (Commencement No. 6) (England) Order 2001 (S.I. [2001/1536](#)) (C. 55);

the Care Standards Act 2000 (Commencement No. 7) (England) and Transitional, Transitory and Savings Provisions) Order 2001 (S.I. [2001/2041](#)) (C. 68);

the Care Standards Act 2000 (Commencement No. 8) (England) Order 2001 (S.I. [2001/3331](#)) (C. 109);

the Care Standards Act 2000 (Commencement No. 9) (England) and Transitional and Savings Provisions) Order 2001 (S.I. [2001/3852](#)) (C. 125);

the Care Standards Act 2000 (Commencement No. 10) (England) and Transitional, Savings and Amendment Provisions) Order 2001 (S.I. [2001/4150](#)) (C. 134);

the Care Standards Act 2000 (Commencement No. 11) (England) Order 2002 (made on 15th March 2002);

the Care Standards Act 2000 (Commencement No. 12) (England) Order 2002 (S.I. [2002/1245](#)) (C. 33);

the Care Standards Act 2000 (Commencement No. 13) (England) Order 2002 (S.I. [2002/839](#)) (C. 22);

the Care Standards Act 2000 (Commencement No. 14) (England) Order 2002 (S.I. [2002/1493](#)) (C. 43);

the Care Standards Act 2000 (Commencement No. 15) (England) and Transitional, Savings and Amendment Provisions) Order 2002 (S.I. [2002/1790](#)) (C. 55); and

the Care Standards Act 2000 (Commencement and Transitional Provisions) (Amendment) (England) Order 2002 (S.I. [2002/2001](#)).

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 3 (partially)	20th November 2001	2001/3852
Sections 1 to 3 (partially)	1st January 2002	2001/3852
Sections 1 to 3 (in so far as they are not already in force)	1st April 2002	2001/3852
Section 4 (partially)	20th November 2001	2001/3852
Section 4 (partially)	1st January 2002	2001/3852
Section 4 (partially)	1st April 2002	2001/3852
Section 4 (partially)	1st September 2002	2001/3852 (amended by 2002/1790)
Section 5 (partially)	1st April 2002	2001/3852
Section 6(3) and Schedule 1 (partially)	16th March 2001	2001/1193
Section 6 and Schedule 1 (partially)	9th April 2001	2001/1193
Section 7	1st April 2002	2001/3852
Section 10 (partially)	1st April 2002	2001/3852
Section 11 (partially)	20th November 2001	2001/3852

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 11 (in so far as not already in force)	1st April 2002	2001/3852
Section 12 (partially)	20th November 2001	2001/3852
Sections 12 and 13 (partially)	1st January 2002	2001/3852
Sections 12 and 13 (partially)	1st January 2003	2001/3852 (amended by 2002/2001)
Sections 14 to 16 (partially)	20th November 2001	2001/3852
Sections 14 to 16 (partially)	1st January 2002	2001/3852
Sections 14 to 16 (in so far as they are not already in force)	1st April 2002	2001/3852
Sections 17 to 20	1st April 2002	2001/3852
Section 21 (partially)	20th November 2001	2001/3852
Section 21 (in so far as not already in force)	1st April 2002	2001/3852
Section 22	20th November 2001	2001/3852
Section 23(1) to (3)	2nd March 2001	2001/731
Section 23(4) (partially)	1st January 2002	2001/3852
Section 23 (in so far as not already in force)	1st April 2002	2001/3852
Section 24	1st April 2002	2001/3852
Section 25 (partially)	20th November 2001	2001/3852
Section 25 (in so far as not already in force)	1st April 2002	2001/3852
Section 26	1st April 2002	2001/3852
Section 27 (partially)	1st January 2002	2001/3852
Section 27 (in so far as not already in force)	1st April 2002	2001/3852
Sections 28 to 30	1st April 2002	2001/3852
Section 31 (partially)	20th November 2001	2001/3852
Sections 31 and 32 (partially)	1st January 2002	2001/3852
Sections 31 and 32 (in so far as they are not already in force)	1st April 2002	2001/3852
Sections 33 to 36 (partially)	20th November 2001	2001/3852
Sections 33 to 36 (in so far as they are not already in force)	1st April 2002	2001/3852

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 37	1st April 2002	2001/3852
Section 38	20th November 2001	2001/3852
Section 39 (partially)	19th February 2001	2001/290
Section 39 (in so far as not already in force)	19th March 2001	2001/290
Section 40 (partially)	15th October 2000	2000/2795
Section 40 (in so far as not already in force)	1st January 2001	2000/2795
Section 41	1st January 2001	2000/2795
Sections 43, 45(4), 48, 49, 50, 51 and 52 (partially)	20th November 2001	2001/3852
Sections 43(1), (2), (3)(b), 44, 45, 46(1) to (6), (7)(a) and (b) and (8), and 47 to 53 (partially)	1st April 2002	2001/3852
Section 54 and Schedule 1 (partially)	10th April 2001	2001/1536
Section 54 and Schedule 1 (partially)	7th May 2001	2001/1536
Section 54(2)	25th March 2002	2002/1245
Section 55 (partially)	7th May 2001	2001/1536
Section 55 (partially)	25th March 2002	2002/1245
Section 59 (partially)	7th May 2001	2001/1536
Section 60 (partially)	7th May 2001	2001/1536
Section 62 (partially)	7th May 2001	2001/1536
Section 62 (partially)	25th March 2002	2002/1245
Section 63 (partially)	7th May 2001	2001/1536
Section 63 (partially)	25th March 2002	2002/1245
Section 65 (partially)	7th May 2001	2001/1536
Section 66 (partially)	7th May 2001	2001/1536
Section 66 (partially)	25th March 2002	2002/1245
Section 67(1) to (4) and (5) and (7) (partially)	25th March 2002	2002/1245
Section 70(1)	25th March 2002	2002/1245
Section 71 (partially)	7th May 2001	2001/1536
Section 71 (partially)	25th March 2002	2002/1245
Section 79 and Schedule 3 (partially)	16th March 2001	2001/1210

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 79 (partially) and Schedule 3 (in so far as not already in force)	2nd July 2001	2001/2041
Section 79(1) (partially)	2nd September 2002	2001/2041
Section 79(1) (partially)	1st April 2002	2002/839
Section 80(8) (partially)	2nd October 2000	2000/2544
Section 94	2nd October 2000	2000/2544
Section 96 (partially)	15th September 2000	2000/2544
Section 96 (in so far as not already in force)	2nd October 2000	2000/2544
Section 98	1st April 2001	2001/1193
Section 99	15th September 2000	2000/2544
Section 100	2nd October 2000	2000/2544
Section 101	2nd October 2000	2000/2544
Section 102	18th March 2002	Order made on 15th March 2002
Section 103	2nd October 2000	2000/2544
Section 104 (partially)	18th March 2002 and 1st April 2002	Order made on 15th March 2002
Sections 105(1) to (4), 107 and 108 (partially)	20th November 2001	2001/3852
Sections 105 to 110 (in so far as they are not already in force)	1st April 2002	2001/3852
Section 111 (partially)	1st September 2002	2001/3852 (amended by 2002/1790)
Section 112	4th October 2001	2001/3331
Section 113(1), (3) and (4) (partially)	25th March 2002	2002/1245
Sections 114 and 115	16th March 2001	2001/1210
Section 116 and Schedule 4 (partially)	2nd October 2000	2000/2544
Section 116 and Schedule 4 (partially)	1st January 2001	2000/2795
Section 116 and Schedule 4 (partially)	2nd July 2001	2001/2041
Section 116 and Schedule 4 (partially)	1st April 2002	2001/3852

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 116 and Schedule 4 (partially)	1st April 2002	2001/4150
Section 116 and Schedule 4 (partially)	1st April 2002	2002/1493
Section 117(2) and Schedule 6 (partially)	2nd October 2000	2000/2544
Section 117(2) and Schedule 6 (partially)	4th October 2001	2001/3331
Section 117(2) and Schedule 6 (partially)	1st April 2002	2001/4150
Section 117(2) and Schedule 6 (partially)	1st April 2002	2001/3852
Section 117(2) and Schedule 6 (partially)	1st September 2002	2001/3852 (amended by 2002/1790)
Section 117(2) and Schedule 6 (partially)	1st April 2002	2001/4150
Section 117(2) and Schedule 6 (partially)	1st January 2003	2001/4150 (amended by 2002/1790 and 2002/2001)

Certain provisions of the Act have been brought into force in relation to Wales only, by the following statutory instruments—

- S.I. [2000/2992](#) (W. 192) (C. 93).
- S.I. [2001/139](#) (W. 5) (C. 7).
- S.I. [2001/2190](#) (W. 152) (C. 70).
- S.I. [2001/2354](#) (W. 192) (C. 80).
- S.I. [2001/2504](#) (W. 205) (C. 82).
- S.I. [2001/2538](#) (W. 213) (C. 83).
- S.I. [2001/2782](#) (W. 235) (C. 92).
- S.I. [2002/920](#) (W. 108) (C. 24).
- S.I. [2002/1175](#) (W. 123) (C. 31).