
STATUTORY INSTRUMENTS

2002 No. 629 (C. 19)

**SOCIAL CARE, ENGLAND AND WALES
CHILDREN AND YOUNG
PERSONS, ENGLAND AND WALES
PUBLIC HEALTH, ENGLAND AND WALES**

**The Care Standards Act 2000
(Commencement No. 11) Order 2002**

Made - - - - 15th March 2002

The Secretary of State, and the National Assembly for Wales, acting jointly, in exercise of the powers conferred upon them by sections 118(7) and 122 of the Care Standards Act 2000⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation, interpretation and extent

1.—(1) This Order may be cited as the Care Standards Act 2000 (Commencement No. 11) Order 2002.

(2) In this Order, “the Act” means the Care Standards Act 2000.

(3) This Order extends to England and Wales.

Appointed days

2.—(1) In this article, unless the context otherwise requires, any reference to a section is a reference to a section of the Act.

(2) 18th March 2002 is the day appointed for the coming into force of—

(a) section 102;

(b) the following provisions of section 104—

(i) subsection (1), in so far as it relates to subsections (2)(a), (3)(a)(ii) and (3)(b) brought into force under this sub-paragraph and to subsection (2)(b) in so far as that subsection is brought into force under this sub-paragraph;

(1) [2000 c. 14](#). The powers are exercisable by the appropriate Minister, who is defined in section 121(1), in relation to England and Wales, as the Secretary of State and the National Assembly for Wales acting jointly.

- (ii) subsection (2)(a);
- (iii) subsection (2)(b), except in so far as it inserts paragraphs (a) and (b) of subsection (3E) in section 113 of the Police Act 1997(2);
- (iv) subsection (3)(a)(ii);
- (v) subsection (3)(b).

(3) 1st April 2002 is the day appointed for the coming into force of the following provisions of section 104—

- (a) subsection (1), in so far as it relates to subsections (2)(b) and (3)(a)(i) in so far as those subsections are brought into force under this paragraph;
- (b) subsection (2)(b), except in so far as—
 - (i) it is already in force; and
 - (ii) it inserts paragraph (b) of subsection (3E) in section 113 of the Police Act 1997;
- (c) subsection (3)(a)(i), in so far as it inserts paragraph (ea) in subsection (5) of section 115 of the Police Act 1997.

Signed by authority of the Secretary of State for Health

15th March 2002

Jacqui Smith
Minister of State,
Department of Health

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

15th March 2002

Carwyn Jones
Presiding Officer, National Assembly for Wales

(2) 1997 c. 50. Subsections (3A) and (3B) were inserted in section 113 of the Police Act 1997 by section 8(1) of the Protection of Children Act 1999 (c. 14). Section 113(3A) is amended by sections 102(1), 104(1) and (2)(a) and 116 of, and paragraph 25(1) of Schedule 4 to, the Care Standards Act 2000 (c. 14). Subsections (3C) and (3D) were inserted, on a date to be appointed, in section 113 of the Police Act 1997 by section 90(1) of the Care Standards Act 2000. Subsection (6A) was inserted in section 115 of the Police Act 1997 by section 8(2) of the Protection of Children Act 1999. Section 115(6A) is amended by sections 102(2), 104(1) and (3)(b) and 116 of, and paragraph 25(2)(b) of Schedule 4 to, the Care Standards Act 2000.

(3) 1998 c. 38.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, in relation to England and Wales, section 102 and certain provisions of section 104 of the Care Standards Act 2000. Section 102 is brought into force on 18th March 2002, and certain provisions of section 104 are brought into force on 18th March and 1st April 2002.

Sections 102 and 104 amend sections 113 and 115 of the Police Act 1997 (c. 50), which relate to criminal record certificates that may be issued under that Act.

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);

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); and

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

| <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 |

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| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-----------------|
| 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 July 2002 | 2001/3852 |
| 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 |
| 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 (in so far as they are not already in force) | 1st April 2002 | 2001/3852 |
| 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 |

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| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|---------------------------|
| 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 |
| 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 |

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| <i>Provision of the Act</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-----------------|
| Section 55 (partially) | 7th May 2001 | 2001/1536 |
| 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 63 (partially) | 7th May 2001 | 2001/1536 |
| Section 65 (partially) | 7th May 2001 | 2001/1536 |
| Section 66 (partially) | 7th May 2001 | 2001/1536 |
| Section 71 (partially) | 7th May 2001 | 2001/1536 |
| Section 79 and Schedule 3 (partially) | 16th March 2001 | 2001/1210 |
| 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 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 103 | 2nd October 2000 | 2000/2544 |
| 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 July 2002 | 2001/3852 |
| Section 112 | 4th October 2001 | 2001/3331 |
| 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 |

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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 | 2001/3852 |
| Section 116 and Schedule 4 (partially) | 1st April 2002 | 2001/4150 |
| 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 and 1st July 2002 | 2001/3852 |
| Section 117(2) and Schedule 6 (partially) | 1st April 2002 and 1st July 2002 | 2001/4150 |

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 \(W. 235\) \(C. 92\).](#)