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STATUTORY INSTRUMENTS

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**2002 No. 839 (C.22)**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

The Care Standards Act 2000 (Commencement  
No. 13) (England) Order 2002

*Made* - - - - 26th March 2002  
*Coming into force* - - 1st April 2002

In exercise of the powers conferred on the Secretary of State by sections 118(5) and (6) 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. 13) (England) Order 2002.

(2) This Order extends to England only.

**Appointed day**

2. 1st April 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 79B(8) (definition of the Tribunal);
- (b) section 79K(5) (registration authority's duty to serve orders made by a justice of the peace upon the registered person and to notify them of the reasons for making the application and of their rights of appeal);
- (c) section 79L(6) and (7) (the date upon which the cancellation of registration or any variation, removal or imposition of a condition on registration takes effect); and
- (d) section 79M (rights of appeal).

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(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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26th March 2002

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

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## EXPLANATORY NOTE

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

The Order brings into force on 1st April 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 79B(8) which defines the Tribunal to which appeals shall be made under the Act;

Section 79K(5) in relation to service of Orders made by a justice of the peace cancelling a registration or imposing, varying or removing conditions to which it is subject. The registered person must also be notified of the reasons for the application and of his rights of appeal;

Section 79L(6) and (7) which stipulate when orders cancelling a registration or changing the conditions to which it is subject take effect; and

Section 79M which sets out the appeals procedure applicable to action taken under Section 79K or 79L.

With the exception of section 79(1) for the purposes of bringing into force 79P(3) and (4), all other provisions of Part XA and Schedule 9A have been brought into force or will come into force on 2nd September 2002 pursuant to Commencement Order No. 5 (England) (S.I. No. [2001/1210](#)) and pursuant to Commencement Order No. 7 (England) (S.I. No. [2001/2041](#)).

## 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](#));

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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>Provisions 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 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

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<i>Provisions of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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 not 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

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<i>Provisions of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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	<a href="#">2001/3852</a>
Section 54 and Schedule 1 (partially)	10th April 2001	<a href="#">2001/1536</a>
Section 54 and Schedule 1 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 55 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 59 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 60 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 62 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 63 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 65 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 66 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 71 (partially)	7th May 2001	<a href="#">2001/1536</a>
Section 79 and Schedule 3 (partially)	16th March 2001	<a href="#">2001/1210</a>
Section 79 (partially) and Schedule 3 (in so far as not already in force)	2nd July 2001	<a href="#">2001/2041</a>
Section 79(1) (partially)	2nd September 2002	<a href="#">2001/2041</a>
Section 80(8) (partially)	2nd October 2000	<a href="#">2000/2544</a>
Section 94	2nd October 2000	<a href="#">2000/2544</a>
Section 96 (partially)	15th September 2000	<a href="#">2000/2544</a>
Section 96 (in so far as not already in force)	2nd October 2000	<a href="#">2000/2544</a>
Section 98	1st April 2001	<a href="#">2001/1193</a>
Section 99	15th September 2000	<a href="#">2000/2544</a>
Section 100	2nd October 2000	<a href="#">2000/2544</a>
Section 101	2nd October 2000	<a href="#">2000/2544</a>
Section 103	2nd October 2000	<a href="#">2000/2544</a>
Sections 105(1) to (4), 107 and 108 (partially)	20th November 2001	<a href="#">2001/3852</a>
Sections 105 to 110 (in so far as they are not already in force)	1st April 2002	<a href="#">2001/3852</a>
Section 111 (partially)	1st July 2002	<a href="#">2001/3852</a>

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<i>Provisions of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 112	4th October 2001	2001/3331
Sections 114 and 115	16th March 2001	2001/1210
Section 116 & Schedule 4 (partially)	2nd October 2000	2000/2544
Section 116 & Schedule 4 (partially)	1st January 2001	2000/2795
Section 116 & Schedule 4 (partially)	2nd July 2001	2001/2041
Section 116 & Schedule 4 (partially)	1st April 2002	2001/3852
Section 116 & Schedule 4 (partially)	1st April 2002	2001/4150
Section 117(2) & Schedule 6 (partially)	2nd October 2000	2000/2544
Section 117(2) & Schedule 6 (partially)	4th October 2001	2001/3331
Section 117 & Schedule 6 (partially)	1st April 2002	2001/4150
Section 117 & Schedule 6 (partially)	1st April 2002	2001/3852
Section 117 & Schedule 6 (partially)	1st July 2002	2001/3852
Section 117 & Schedule 6 (partially)	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).