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STATUTORY INSTRUMENTS

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**2003 No. 534**

**SOCIAL CARE, ENGLAND**

**The Care Homes (Amendment) Regulations 2003**

<i>Made</i>	- - - -	<i>6th March 2003</i>
<i>Laid before Parliament</i>		<i>7th March 2003</i>
<i>Coming into force</i>	- -	<i>1st April 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 22(1) and (2)(b) and 118(5) to (7) of the Care Standards Act 2000<sup>(1)</sup>, and all other powers enabling him in that behalf, hereby makes the following Regulations:—

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Care Homes (Amendment) Regulations 2003 and shall come into force on 1st April 2003.

(2) These Regulations apply to England only.

**Amendment of the Care Homes Regulations 2001**

2.—(1) Regulation 19 of the Care Homes Regulations 2001<sup>(2)</sup> (fitness of workers) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (5)(d)—

(a) in head (i), for the words “1 to 6” there shall be substituted the words “1 to 7”;

(b) heads (ii) and (iii) shall be omitted.

(3) In paragraph (6), for the words “1st April 2003” there shall be substituted the words “31st October 2004”.

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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 or Northern Ireland as the Secretary of State. See section 121(1) for the definitions of “prescribed” and “regulations”.  
(2) S.I.2001/3965, amended by S.I. 2002/865.

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**Status:** This is the original version (as it was originally made).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

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6th March 2003

*Jacqui Smith*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

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

These Regulations further amend the Care Homes Regulations 2001. Regulation 19 of those Regulations requires certain information and documents to be available in respect of persons who work at a care home, including criminal record certificates issued under the Police Act 1997. In relation to staff employed at a care home immediately before 1st April 2002, the requirement in respect of criminal record certificates does not apply until 1st April 2003. This requirement is amended by regulation 2(3) of these Regulations so that it does not apply until 31st October 2004.

These Regulations also make corrections to regulation 19, consequent on the deletion of regulation 19(7) by the Care Standards Act 2000 (Establishments and Agencies) (Miscellaneous Amendments) Regulations 2002. Regulation 19(5)(d) makes certain provision dependent on whether regulation 19(7) applies, and is now amended to take account of that deletion.