

2005 No. 640

**CHILDREN AND YOUNG PERSONS, ENGLAND
SOCIAL CARE, ENGLAND**

**The National Care Standards Commission (Commission for
Social Care Inspection) (Fees and Frequency of Inspections)
(Adoption Agencies) (Amendment) Regulations 2005**

<i>Made</i> - - - -	<i>10th March 2005</i>
<i>Laid before Parliament</i>	<i>11th March 2005</i>
<i>Coming into force</i> - -	<i>1st April 2005</i>

The Secretary of State, in exercise of the powers conferred upon her by sections 12(2), 15(3), 16(3) and 118(5) and (6) of the Care Standards Act 2000(a), hereby makes the following Regulations:—

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the National Care Standards Commission (Commission for Social Care Inspection) (Fees and Frequency of Inspections) (Adoption Agencies) (Amendment) Regulations 2005 and shall come into force on 1st April 2005.

(2) These Regulations apply to England only.

(3) In these Regulations, “the principal Regulations” means the National Care Standards Commission (Fees and Frequency of Inspections) (Adoption Agencies) Regulations 2003(b).

Amendment of regulation 3 of the principal Regulations

2. Regulation 3 of the principal Regulations (registration fees) is amended as follows—

- (a) in paragraph (1)(a), for “£1,100” substitute “£1,320”;
- (b) in paragraph (1)(b)(i), for “£1,100” substitute “£1,320”;
- (c) in paragraph (1)(b)(ii), for “£300” substitute “£360”;
- (d) in paragraph (2)(a), for “£300” substitute “£360”;
- (e) in paragraph (2)(b)(i), for “£1,100” substitute “£1,320”; and
- (f) in paragraph (2)(b)(ii), for “£300” substitute “£360”.

(a) 2000 c.14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1) of the Care Standards Act 2000 (“the Act”) in relation to England as the Secretary of State. “Prescribed” and “regulations” are defined in section 121(1) of the Act. The functions of the National Care Standards Commission under Part 2 of the Act transferred to the Commission for Social Care Inspection in accordance with section 102(3) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) with effect from 1st April 2004.

(b) S.I. 2003/368; amended by S.I. 2004/664, article 3 and Schedule 2, to insert a definition of “Commission”.

Amendment of regulation 4 of the principal Regulations

3. Regulation 4 of the principal Regulations (variation fees) is amended as follows—

- (a) in paragraph (1)(a), for “£550” substitute “£660”;
- (b) in paragraph (1)(b), for “£300” substitute “£360”;
- (c) in paragraph (2)(a), for “£1,100” substitute “£1,320”;
- (d) in paragraph (2)(b), for “£300” substitute “£360”; and
- (e) in paragraph (3), for “£50” substitute “£60”.

Amendment of regulation 5 of the principal Regulations

4. Regulation 5 of the principal Regulations (annual fees – voluntary adoption agencies) is amended as follows—

- (a) in paragraph (1)(a), for “£500” substitute “£600”;
- (b) in paragraph (1)(b)(i), for “£500” substitute “£600”;
- (c) in paragraph (1)(b)(ii) for “£250” substitute “£300”;
- (d) in paragraph (2)(a) for “£250” substitute “£300”;
- (e) in paragraph (2)(b)(i) for “£500” substitute “£600”; and
- (f) in paragraph (2)(b)(ii) for “£250” substitute “£300”.

Revocation of regulation 6 of the principal Regulations

5. Regulation 6 of the principal Regulations (annual fees – local authorities) is hereby revoked^(a).

10th March 2005

Filkin
Parliamentary Under-Secretary of State
Department for Education and Skills

(a) Section 51(1) of the Care Standards Act 2000 was repealed by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), section 196 and Schedule 14, Part 2, with effect from 1st April 2004.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply to England only, amend the National Care Standards Commission (Fees and Frequency of Inspections) (Adoption Agencies) Regulations 2003 in order to increase by 20% the amount of the fees that voluntary adoption agencies pay to the Commission for Social Care Inspection under Part 2 of the Care Standards Act 2000. The National Care Standards Commission has been abolished and the functions it performed in relation to Part 2 of the Care Standards Act 2000, to which these fees relate, transferred to the Commission for Social Care Inspection with effect from 1st April 2004.

The increases take effect from 1st April 2005.

Regulations 2 to 4 make provision for increases in the fees to be paid in respect of voluntary adoption agencies on an application for registration (regulation 2), an application for the variation or removal of any condition that is in force in relation to a registration (regulation 3) and the payment of an annual fee (regulation 4).

Regulation 5 revokes regulation 6 (annual fee paid by local authorities) of the National Care Standards Commission (Fees and Frequency of Inspections) (Adoption Agencies) Regulations 2003.

A Regulatory Impact Assessment has been carried out for these Regulations and a copy has been placed in the library of each House of Parliament. Copies of the Regulatory Impact Assessment can be obtained from the Department for Education and Skills' website <http://www.dfes.gov.uk/ria>.

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