

2008 No. 3244 (C. 148)

HEALTH CARE AND ASSOCIATED PROFESSIONS

**The Health and Social Care Act 2008 (Commencement No. 7)
Order 2008**

Made - - - - *17th December 2008*

The Secretary of State makes the following Order in exercise of the powers conferred by section 170(3) and (4) of the Health and Social Care Act 2008(a).

The Secretary of State has consulted the Scottish Ministers in accordance with section 172(1)(a)(i) and (iii) and (c) of that Act.

Citation and interpretation

1.—(1) This Order may be cited as the Health and Social Care Act 2008 (Commencement No. 7) Order 2008.

(2) In this Order, “the Act” means the Health and Social Care Act 2008.

Appointed day for provisions relating to the Council for Healthcare Regulatory Excellence

2. 1st January 2009 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 113;
- (b) section 114 in so far as not already in force(b);
- (c) sections 115 to 117;
- (d) section 118(1) in so far as it relates to the provisions listed in paragraphs (e) and (f);
- (e) section 118(2)(a), (c) and (e) to (g);
- (f) section 118(3) to (6);
- (g) section 127 in so far as it relates to the provisions of Schedule 10 to the Act listed in paragraph (i);
- (h) section 166 in so far as it relates to the provisions of Schedule 15 to the Act listed in paragraph (j);
- (i) in Schedule 10—
 - (i) paragraph 1,
 - (ii) paragraph 2(a),

(a) 2008 c. 14.

(b) Section 170(1) of the Act commenced section 114(3) on Royal Assent for the purpose of making regulations.

- (iii) paragraph 3 in so far as it relates to paragraphs 1(bca) and 2(ca) of the Schedule to the Public Bodies (Admission to Meetings) Act 1960(a),
 - (iv) paragraph 4(a),
 - (v) paragraph 5(a),
 - (vi) paragraph 6(b),
 - (vii) paragraph 8,
 - (viii) paragraph 10,
 - (ix) paragraph 12,
 - (x) paragraph 13(a),
 - (xi) paragraph 16,
 - (xii) paragraph 17,
 - (xiii) paragraph 19,
 - (xiv) paragraphs 23 to 25, and
 - (xv) paragraph 26(a).
- (j) in Part 2 of Schedule 15—
- (i) the entries relating to the National Health Service Reform and Health Care Professions Act 2002(b), except the entries relating to section 29(1)(c) and (f) of that Act, and
 - (ii) the entry relating to the Health Act 2006(c).

Appointed day for provisions relating to section 60 of the Health Act 1999 and the order making functions under that Act

3. 1st January 2009 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 111 in so far as it relates to the provisions listed in paragraph (c);
- (b) section 127 in so far as it relates to the provision mentioned in paragraph (d);
- (c) in Schedule 8—
 - (i) paragraphs 1 and 2,
 - (ii) paragraph 3 in so far as it relates to the provisions mentioned in sub-paragraph (iii), and
 - (iii) paragraphs 4, 5(1) (in so far as not already in force), (2) and (3), 6, 7, 8(b) and 9; and
- (d) paragraph 11 of Schedule 10.

Signed by authority of the Secretary of State for Health.

17th December 2008

Ben Bradshaw
Minister of State,
Department of Health

(a) 1960 c.67.
(b) 2002 c.17.
(c) 2006 c.28.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the seventh commencement order made under the Health and Social Care Act 2008 and brings into force on 1st January 2009 the provisions establishing the Council for Healthcare Regulatory Excellence. It also brings into force, on that date, provisions extending the powers under section 60 of the Health Act 1999, which is an order making power relating to the regulation of health care and associated professions, and a provision extending the scope of the order making powers under that Act more generally.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Health and Social Care Act 2008 have been or are being brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1)	1st October 2008	2008/2497 (C. 106)
Section 1(3) (partially)	1st October 2008	2008/2497 (C. 106)
Section 2(1)	1st October 2008	2008/2497 (C. 106)
Section 2(2)(a) (partially)	12th January 2009	2008/3168 (C. 143)
Sections 3 to 7	1st October 2008	2008/2497 (C. 106)
Section 8 (partially)	12th January 2009	2008/3168 (C. 143)
Section 9	1st October 2008	2008/2497 (C. 106)
Section 10(3) (partially)	12th January 2009	2008/3168 (C. 143)
Section 11 (partially)	12th January 2009	2008/3168 (C. 143)
Section 12(1) to (5) (partially)	12th January 2009	2008/3168 (C. 143)
Section 20 to 22 (partially)	12th January 2009	2008/3168 (C. 143)
Section 25 (partially)	12th January 2009	2008/3168 (C. 143)
Section 26(1), (3) and (6) (partially)	12th January 2009	2008/3168 (C. 143)
Section 27 (partially)	12th January 2009	2008/3168 (C. 143)
Section 28(1) to (4)(a) (partially)	12th January 2009	2008/3168 (C. 143)
Section 32 (partially)	12th January 2009	2008/3168 (C. 143)
Section 35 (partially)	12th January 2009	2008/3168 (C. 143)
Section 37 (partially)	12th January 2009	2008/3168 (C. 143)
Section 44 (partially)	12th January 2009	2008/3168 (C. 143)
Section 46(4) to (8)	1st October 2008	2008/2497 (C. 106)
Section 47	1st October 2008	2008/2497 (C. 106)
Sections 60 to 65 (partially)	12th January 2009	2008/3168 (C. 143)
Section 66 (partially)	1st October 2008	2008/2497 (C. 106)
Sections 76 to 83	1st October 2008	2008/2497 (C. 106)
Section 85	1st October 2008	2008/2497 (C. 106)
Section 88	1st October 2008	2008/2497 (C. 106)
Sections 90 to 94 (partially)	12th January 2009	2008/3168 (C. 143)
Section 95 (partially)	1st October 2008	2008/2497 (C. 106)
Section 97	1st October 2008	2008/2497 (C. 106)
Section 111 (partially)	1st October 2008	2008/2497 (C. 106)
Section 112 (partially)	3rd November 2008	2008/2717 (C.120)
Section 123(3) to (6)	1st October 2008	2008/2497 (C. 106)
Section 127 (partially)	25th August 2008	2008/2214 (C. 100)
Sections 131 to 138	1st January 2009	2008/3137 (C. 136)
Section 142	1st October 2008	2008/2497 (C. 106)

Section 143	1st October 2008	2008/2497 (C. 106)
Section 145 (partially)	1st December 2008	2008/2994 (C. 129)
Sections 149 to 154	1st April 2009	2008/2994 (C. 129)
Section 155	1st December 2008	2008/2994 (C. 129)
Section 156 (partially)	1st December 2008	2008/2994 (C. 129)
Section 156 insofar as not already in force	1st April 2009	2008/2994 (C. 129)
Section 157(1) (partially)	1st October 2008	2008/2497 (C. 106)
Section 157 insofar as not already in force	1st January 2009	2008/2497 (C. 106)
Section 158	1st January 2009	2008/2497 (C. 106)
Section 160 (partially)	1st October 2008	2008/2497 (C. 106)
Section 160 (partially)	1st January 2009	2008/2497 (C. 106)
Section 166 (partially)	1st January 2009	2008/2497 (C. 106)
Paragraphs 1 to 5 of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 6(3) of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 6(4) of Schedule 1 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 6(6) to 6(8) of Schedule 1	1st October 2008	2008/2497 (C. 106)
Paragraph 7 of Schedule 1 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraphs 8 to 12 of Schedule 1	1st October 2008	2008/2497 (C. 106)
Schedule 2	1st October 2008	2008/2497 (C. 106)
Paragraph 1 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 3 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 5 of Schedule 4 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraphs 7 and 8 of Schedule 4	1st October 2008	2008/2497 (C. 106)
Paragraph 54(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 56(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 57(1) of Schedule 5 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 57(2)(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 58(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 59(1) of Schedule 5 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 59(2)(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 73(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 80(b) of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 94 of Schedule 5	1st October 2008	2008/2497 (C. 106)
Paragraph 3 of Schedule 8 (partially)	1st October 2008	2008/2497 (C. 106)
Paragraph 5(4) of Schedule 8	1st October 2008	2008/2497 (C. 106)
Paragraph 8(a) of Schedule 8	1st October 2008	2008/2497 (C. 106)
Paragraph 20 of Schedule 10	25th August 2008	2008/2214 (C. 100)
Paragraph 21 of Schedule 10 (partially)	25th August 2008	2008/2214 (C. 100)
Paragraphs 2 to 4 of Schedule 14	1st October 2008	2008/2497 (C. 106)
Paragraph 5 of Schedule 14	1st January 2009	2008/2497 (C. 106)
Part 6 of Schedule 15	1st January 2009	2008/2497 (C. 106)

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