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STATUTORY INSTRUMENTS

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**2009 No. 2862 (C. 126)**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Health and Social Care Act 2008  
(Commencement No. 12) Order 2009**

*Made - - - - 29th October 2009*

The Secretary of State for Children, Schools and Families makes the following Order in exercise of the powers conferred by section 170(3) and (4) of the Health and Social Care Act 2008<sup>(1)</sup>.

**Citation and application**

1.—(1) This Order may be cited as the Health and Social Care Act 2008 (Commencement No. 12) Order 2009.

(2) This Order applies in relation to England only.

**Appointed day for the provisions relating to the fees payable to the Chief Inspector of Education, Children’s Services and Skills under Part 2 of the Care Standards Act 2000**

2. 2nd November 2009 is the appointed day for the coming into force of the following provisions of the Health and Social Care Act 2008 insofar as they relate to England and the payment of fees to the Chief Inspector of Education, Children’s Services and Skills—

- (a) paragraph 11 of Schedule 5 insofar as it is not already in force<sup>(2)</sup>;
- (b) paragraph 14(b)(ii) of Schedule 5 insofar as it is not already in force<sup>(3)</sup>;
- (c) paragraph 15 of Schedule 5 insofar as it is not already in force<sup>(4)</sup>; and
- (d) section 95 insofar as it relates to those paragraphs.

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(1) 2008 c.14. See section 171(2) of the Health and Social Care Act 2008 (“the Act”) for the definition of “appropriate authority”.  
(2) Section 170(1) of the Act commenced paragraph 11 of Schedule 5 on Royal Assent for the purposes of making regulations.  
(3) Section 170(1) of the Act commenced paragraph 14(b)(ii) of Schedule 5 on Royal Assent for the purposes of making regulations.  
(4) Section 170(1) of the Act commenced paragraph 15 of Schedule 5 on Royal Assent for the purposes of making regulations.

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**Status:** *This is the original version (as it was originally made). UK  
Statutory Instruments are not carried in their revised form on this site.*

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29th October 2009

*Delyth Morgan*  
Parliamentary Under Secretary of State  
Department for Children, Schools and Families

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## EXPLANATORY NOTE

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

This Order is the twelfth commencement order made under the Health and Social Care Act 2008.

This Order applies in relation to England only.

Article 2 brings into force on 2nd November 2009 amendments to sections 12(2), 15(3) and 16(3) of the Care Standards Act 2000<sup>(5)</sup> which relate to fees payable to the Chief Inspector of Education, Children's Services and Skills under those provisions.

## 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 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(2)                                  | 1st April 2009              | 2009/462 (C. 31)   |
| Section 1(3) (partially)                      | 1st October 2008            | 2008/2497 (C. 106) |
| Section 1(3), insofar as not already in force | 1st April 2009              | 2009/462 (C. 31)   |
| Section 2(1)                                  | 1st October 2008            | 2008/2497 (C. 106) |
| Section 2(2)(a) (partially)                   | 12th January 2009           | 2008/3168 (C. 143) |
| Section 2(2)(b) and (c)                       | 1st April 2009              | 2009/462 (C. 31)   |
| Sections 3 to 7                               | 1st October 2008            | 2008/2497 (C. 106) |
| Section 8                                     | 12th January 2009           | 2008/3168 (C. 143) |
| Section 9                                     | 1st October 2008            | 2008/2497 (C. 106) |
| Section 10(3)                                 | 12th January 2009           | 2008/3168 (C. 143) |
| Section 10, insofar as not already in force   | 1st April 2009              | 2009/462 (C. 31)   |
| Section 11                                    | 12th January 2009           | 2008/3168 (C. 143) |
| Section 12(1) to (5)                          | 12th January 2009           | 2008/3168 (C. 143) |
| Section 16 (partially)                        | 1st April 2009              | 2009/462 (C. 31)   |
| Section 17(1), (3) and (4)                    | 1st April 2009              | 2009/462 (C. 31)   |
| Sections 18 and 19                            | 1st April 2009              | 2009/462 (C. 31)   |
| Section 20 (partially)                        | 12th January 2009           | 2008/3168 (C. 143) |
| Section 21 and 22                             | 12th January 2009           | 2008/3168 (C. 143) |

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(5) 2000 c.14.

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|---|-------------------|--------------------|
| 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 26(4) and (5)                       | 1st April 2009    | 2009/462 (C. 31)   |
| Section 27                                  | 12th January 2009 | 2008/3168 (C. 143) |
| Section 28(1) to (4)(a) (partially)         | 12th January 2009 | 2008/3168 (C. 143) |
| Section 28(4)(c) and (d)                    | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 29 to 31                           | 1st April 2009    | 2009/462 (C. 31)   |
| Section 32                                  | 12th January 2009 | 2008/3168 (C. 143) |
| Section 33                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Section 34(1) and (5)                       | 1st April 2009    | 2009/462 (C. 31)   |
| Section 35                                  | 12th January 2009 | 2008/3168 (C. 143) |
| Section 36                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Section 37                                  | 12th January 2009 | 2008/3168 (C. 143) |
| Sections 38 to 40                           | 1st April 2009    | 2009/462 (C. 31)   |
| Section 44 (partially)                      | 12th January 2009 | 2008/3168 (C. 143) |
| Section 46(4) to (8)                        | 1st October 2008  | 2008/2497 (C. 106) |
| Section 46, insofar as not already in force | 1st April 2009    | 2009/462 (C. 31)   |
| Section 47                                  | 1st October 2008  | 2008/2497 (C. 106) |
| Section 48                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Section 50                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Section 51 (partially)                      | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 52 to 59                           | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 60 to 65 (partially)               | 12th January 2009 | 2008/3168 (C. 143) |
| Section 66 (partially)                      | 1st October 2008  | 2008/2497 (C. 106) |
| Section 66 (partially)                      | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 67 to 71                           | 1st April 2009    | 2009/462 (C. 31)   |
| Section 72 (partially)                      | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 73 to 75                           | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 76 to 83                           | 1st October 2008  | 2008/2497 (C. 106) |
| Section 84                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Section 85                                  | 1st October 2008  | 2008/2497 (C. 106) |
| Sections 86 and 87                          | 1st April 2009    | 2009/462 (C. 31)   |
| Section 88                                  | 1st October 2008  | 2008/2497 (C. 106) |
| Section 89                                  | 1st April 2009    | 2009/462 (C. 31)   |
| Sections 90 to 94                           | 12th January 2009 | 2008/3168 (C. 143) |

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| Section 95 (partially)                      | 1st October 2008    | 2008/2497 (C. 106)                                |
| Section 95 (partially)                      | 1st April 2009      | 2009/462 (C. 31)                                  |
| Section 96                                  | 1st April 2009      | 2009/462 (C. 31)                                  |
| Section 97                                  | 1st October 2008    | 2008/2497 (C. 106)                                |
| Section 98(3) (partially)                   | 28th September 2009 | 2009/2567 (C. 109)                                |
| Section 111 (partially)                     | 1st October 2008    | 2008/2497 (C. 106)                                |
| Section 111 (partially)                     | 1st January 2009    | 2008/3244 (C. 148)                                |
| Section 112 (partially)                     | 3rd November 2008   | 2008/2717 (C. 120)                                |
| Section 113                                 | 1st January 2009    | 2008/3244 (C. 148)                                |
| Section 114 insofar as not already in force | 1st January 2009    | 2008/3244 (C. 148)                                |
| Sections 115 to 117                         | 1st January 2009    | 2008/3244 (C. 148)                                |
| Section 118 (partially)                     | 1st January 2009    | 2008/3244 (C. 148)                                |
| Section 123(3) to (6)                       | 1st October 2008    | 2008/2497 (C. 106)                                |
| Section 127 (partially)                     | 25th August 2008    | 2008/2214 (C. 100)                                |
| Section 127 (partially)                     | 1st January 2009    | 2008/3244 (C. 148)                                |
| Section 127 (partially)                     | 4th June 2009       | 2009/1310 (C. 71)                                 |
| Section 127 (partially)                     | 28th September 2009 | 2009/2567 (C. 109)                                |
| Section 129 (partially)                     | 1st April 2009      | 2009/462 (C. 31)                                  |
| 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)                                |
| Section 146 (partially)                     | 9th November 2009   | 2009/2567 (C. 109)                                |
| Section 147                                 | 6th April 2009      | 2009/462 (C. 31)<br>and 2009/631 (W.57)<br>(C.43) |
| 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 159(5)                              | 1st March 2009      | 2009/270 (C. 12)                                  |
| Section 159 insofar as not already in force | 1st April 2009      | 2009/270 (C. 12)                                  |
| Section 160 (partially)                     | 1st October 2008    | 2008/2497 (C. 106)                                |

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| Section 160 (partially)                       | 1st January 2009 | 2008/2497 (C. 106)                           |
| Section 166 (partially)                       | 1st January 2009 | 2008/2497 (C. 106)<br>and 2008/3244 (C. 148) |
| Section 166 (partially)                       | 1st April 2009   | 2009/270 (C. 12)                             |
| Section 166 (partially)                       | 6th April 2009   | 2009/462 (C. 31)                             |
| 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 1, insofar as not already in force   | 1st April 2009   | 2009/462 (C. 31)                             |
| Schedule 2                                    | 1st October 2008 | 2008/2497 (C. 106)                           |
| Schedule 3                                    | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 1 of Schedule 4                     | 1st October 2008 | 2008/2497 (C. 106)                           |
| Paragraph 2 of Schedule 4                     | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 3 of Schedule 4                     | 1st October 2008 | 2008/2497 (C. 106)                           |
| Paragraph 4 of Schedule 4                     | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 5 of Schedule 4 (partially)         | 1st October 2008 | 2008/2497 (C. 106)                           |
| Paragraph 6 of Schedule 4                     | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraphs 7 and 8 of Schedule 4              | 1st October 2008 | 2008/2497 (C. 106)                           |
| Paragraphs 9 and 10 of Schedule 4             | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 1 of Schedule 5                     | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraphs 7 to 9 of Schedule 5               | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 13 of Schedule 5 (partially)        | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 14(a), (b)(i) and (c) of Schedule 5 | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 16(b) and (c) of Schedule 5         | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 17 of Schedule 5                    | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 20 of Schedule 5 (partially)        | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraphs 22 and 23 of Schedule 5            | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 24(b) and (c) of Schedule 5         | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 25 of Schedule 5                    | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraphs 29 and 30 of Schedule 5            | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraphs 32 to 36 of Schedule 5             | 1st April 2009   | 2009/462 (C. 31)                             |
| Paragraph 39 of Schedule 5                    | 1st April 2009   | 2009/462 (C. 31)                             |

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| Paragraphs 40 and 41 of Schedule 5 (partially)                     | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraphs 42 to 46 of Schedule 5                                  | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 47 of Schedule 5 (partially)                             | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraphs 48 to 53 of Schedule 5                                  | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 54(b) of Schedule 5                                      | 1st October 2008                      | 2008/2497 (C. 106)                        |
| Paragraph 54 of Schedule 5, insofar as not already in force        | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 55 of Schedule 5   | 1st April 2009                        | 2009/462 (C. 31)                          |
| 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)                        |
| Paragraphs 56 to 59 of Schedule 5, insofar as not already in force | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraphs 60 to 72 of Schedule 5                                  | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 73(b) of Schedule 5                                      | 1st October 2008                      | 2008/2497 (C. 106)                        |
| Paragraph 73 of Schedule 5, insofar as not already in force        | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraphs 74 to 79 of Schedule 5                                  | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 80(b) of Schedule 5                                      | 1st October 2008                      | 2008/2497 (C. 106)                        |
| Paragraph 80 of Schedule 5, insofar as not already in force        | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraphs 81 to 93 of Schedule 5                                  | 1st April 2009                        | 2009/462 (C. 31)                          |
| Paragraph 94 of Schedule 5   | 1st October 2008                      | 2008/2497 (C. 106)                        |
| Paragraphs 4 to 10 of Schedule 6                                   | 28th September 2009                   | 2009/2567 (C. 109)                        |
| Paragraphs 1 and 2 of Schedule 8                                   | 1st January 2009                      | 2008/3244 (C. 148)                        |
| Paragraph 3 of Schedule 8 (partially)                              | 1st October 2008 and 1st January 2009 | 2008/2497 (C. 106) and 2008/3244 (C. 148) |
| Paragraph 4 of Schedule 8  | 1st January 2009                      | 2008/3244 (C. 148)                        |
| Paragraph 5(1) to (3) of Schedule 8                                | 1st January 2009                      | 2008/3244 (C. 148)                        |
| Paragraph 5(4) of Schedule 8                                       | 1st October 2008                      | 2008/2497 (C. 106)                        |
| Paragraphs 6 and 7 of Schedule 8                                   | 1st January 2009                      | 2008/3244 (C. 148)                        |
| Paragraph 8(a) of Schedule 8                                       | 1st October 2008                      | 2008/2497 (C. 106)                        |

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| Paragraph 8(b) of Schedule 8            | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 9 of Schedule 8               | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 1 of Schedule 10              | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 2(a) of Schedule 10           | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 3 of Schedule 10 (partially)  | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 4(a) of Schedule 10           | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 4(b) of Schedule 10           | 28th September 2009 | 2009/2567 (C. 109)                                |
| Paragraph 5(a) of Schedule 10           | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 5(b) of Schedule 10           | 28th September 2009 | 2009/2567 (C. 109)                                |
| Paragraph 6(b) of Schedule 10           | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 8 of Schedule 10              | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraphs 10 to 12 of Schedule 10      | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 13(a) of Schedule 10          | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 16 of Schedule 10             | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 17 of Schedule 10             | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 19 of Schedule 10             | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 20 of Schedule 10             | 25th August 2008    | 2008/2214 (C. 100)                                |
| Paragraph 21 of Schedule 10             | 4th June 2009       | 2009/1310 (C. 71)                                 |
| Paragraphs 23 to 25 of Schedule 10      | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 26(a) of Schedule 10          | 1st January 2009    | 2008/3244 (C. 148)                                |
| Paragraph 26(b) of Schedule 10          | 28th September 2009 | 2009/2567 (C. 109)                                |
| Paragraph 21 of Schedule 10 (partially) | 25th August 2008    | 2008/2214 (C. 100)                                |
| Schedule 13                             | 6th April 2009      | 2009/462 (C. 31)<br>and 2009/631 (W.57)<br>(C.43) |
| 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)                                |
| Paragraph 6 and 7 of Schedule 14        | 1st April 2009      | 2009/462 (C. 31)                                  |
| Part 1 of Schedule 15 (partially)       | 1st April 2009      | 2009/462 (C. 31)                                  |
| Part 2 of Schedule 15 (partially)       | 1st January 2009    | 2008/3244 (C. 148)                                |
| Part 5 of Schedule 15                   | 6th April 2009      | 2009/462 (C. 31)<br>and 2009/631 (W.57)<br>(C.43) |
| Part 6 of Schedule 15                   | 1st January 2009    | 2008/2497 (C. 106)                                |
| Part 7 of Schedule 15                   | 1st April 2009      | 2009/270 (C.12)                                   |

