
WELSH STATUTORY INSTRUMENTS

2001 No. 3807

**The Health and Social Care Act 2001
(Commencement No. 1) (Wales) Order 2001**

Appointed day in respect of section 49 of the 2001 Act

2.—(1) 3rd December 2001 is the day appointed for the coming into force of section 49 of the 2001 Act in so far as it relates to any person —

- (a) who is provided with accommodation by a local authority under section 21(1)(1) of the 1948 Act (duties of local authorities to provide accommodation), and
- (b) who, if the authority were also to provide the nursing care in connection with that accommodation, would be liable to make a payment under section 22(2) (charges to be made for accommodation) or section 26(3) of the 1948 Act either at the standard rate or at a lower rate which is not less than the standard rate minus £100.

(2) Notwithstanding that a person ceases to satisfy sub-paragraph (b) of paragraph (1) above, section 49 of the 2001 Act shall continue to apply to the person.

(1) Section 21(1) was amended by the Local Government Act 1972 (c. 70) section 195(6), Schedule 23, paragraph 2(1); the Housing (Homeless Persons) Act 1977 (c. 48), section 20(4); the Children Act 1989 (c. 41), section 108(5), Schedule 13, paragraph 11, and the 1990 Act, section 42(1).

(2) Section 22(3) was amended by the 1990 Act, section 44(4).

(3) Section 26(3) was amended by the 1990 Act, section 42(4).