

SCHEDULE 1

Regulation 3

APPLICATION OF PART II OF THE CARE STANDARDS ACT 2000 TO PERSONS PROVIDING AND MANAGING AN ADULT PLACEMENT SCHEME

PART 1

1. For the purposes of this Schedule references in Part II of the Act —
 - (a) to an establishment or agency shall be taken as references to an adult placement scheme;
 - (b) to carrying on or managing an establishment or agency shall be taken as references to providing or managing an adult placement scheme;
 - (c) to persons working at an establishment or for the purposes of an agency shall be taken as references to persons working for the purposes of an adult placement scheme;
 - (d) to facilities or services provided in an establishment or by an agency shall be taken as references to facilities or services provided under an adult placement scheme; and
 - (e) to premises being used as an establishment or for the purposes of an agency must be taken as references to premises used for the purposes of managing an adult placement scheme.
2. In respect of the provisions of Part II of the Act which are not modified by Part 2 of this Schedule —
 - (a) Part II of the Act applies to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule;
 - (b) any power of the National Assembly to make subordinate legislation is to be exercisable in relation to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule; and
 - (c) any power or duty of any person under Part II of the Act is to be exercisable in relation to a person who provides or manages, intends to provide or manage, or is registered in respect of, an adult placement scheme and also in relation to such a scheme in light of the provisions which are modified by Part 2 of this Schedule.
3. In this Schedule a reference to a section is a reference to a section of the Act.

PART 2

Modification of section 22 of the Act (regulation of establishments and agencies)

- (a) (a) Section 22(5)(b) has effect as if it read —
 - “(b) as to the control and restraint of adults provided with services under an adult placement scheme.”;
- (b) Section 22(7)(e) has effect as if it read —
 - “(e) make provision as to the giving of notice by the person providing an adult placement scheme of periods during which he or (if he does not manage it himself) the manager proposes to be unavailable to manage the adult placement scheme, and specify the information to be supplied in such a notice.”.

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

Modification of section 28 of the Act (failure to display certificate of registration)

5. Section 28(1) has effect as if it read:

“A certificate of registration issued under this Part in respect of any adult placement scheme must be kept affixed in a conspicuous place at the principal office of the scheme.”

Modification of section 31 of the Act (inspections by persons authorised by registration authority)

6. Section 31(5) and (6) does not apply to adult placement schemes.

Modification of section 37 of the Act (service of documents)

(a) (a) Section 37(1) of the Act has effect as if it read —

“Any notice or other document required under this Part to be served on a person providing or managing, or intending to provide or manage, an adult placement scheme may be served on him—

(a) by being delivered personally to him; or

(b) by being sent by post to him in a registered letter or by the recorded delivery service at his proper address.”

(b) Section 37(2) of the Act has effect as if it read —

“For the purposes of section 7 of the Interpretation Act 1978(1) (which defines “service by post”) a letter addressed to a person providing or managing, or intending to provide or manage, an adult placement scheme enclosing a notice or other document under this Act shall be deemed to be properly addressed if it is addressed to him at the principal office of the adult placement scheme.”

(1) 1978 c. 30.