



Care Standards Act 2000

2000 CHAPTER 14

PART II

ESTABLISHMENTS AND AGENCIES

Miscellaneous and supplemental

42 Power to extend the application of Part II.

- (1) Regulations may provide for the provisions of this Part to apply, with such modifications as may be specified in the regulations, to prescribed persons to whom subsection (2) [^{F1}, (2A)] or (3) applies.

[^{F2}(2) This subsection applies to—

- (a) Welsh local authorities providing services in the exercise of their social services functions, and
- (b) persons who provide services which are similar to services which—
 - (i) may or must be so provided by Welsh local authorities, or
 - (ii) may or must be provided by Welsh NHS bodies.

(2A) This subsection applies to—

- (a) English local authorities providing services in the exercise of their social services functions so far as relating to persons aged under 18, and
- (b) persons who provide services which are similar to services which may or must be so provided by English local authorities.]

- (3) This subsection applies to persons who carry on or manage an undertaking (other than an establishment or agency) which consists of or includes supplying, or providing services for the purpose of supplying, individuals mentioned in subsection (4).

- (4) The individuals referred to in subsection (3) are those who provide services for the purpose of any of the services mentioned in subsection (2) [^{F3} or (2A)].

Status: Point in time view as at 21/07/2008. This version of this provision has been superseded.

Changes to legislation: Care Standards Act 2000, Section 42 is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F4}(5) [^{F5}Regulations under subsection (1) made by the Secretary of State may in particular specify whether, for the purposes of the application of this Part to any person, the registration authority is to be the CHAI^{F6}, the CSCI or the CIECSS].]

[^{F7}(6) For the purposes of this section, functions mentioned in section 135(1)(e) of the Education and Inspections Act 2006 are taken to be social services functions relating to persons aged under 18.

(7) In this section—

“cross-border Special Health Authorities” means Special Health Authorities not performing functions only or mainly in respect of England or only or mainly in respect of Wales,

“English local authorities” means local authorities in England,

“Welsh local authorities” means local authorities in Wales, and

“Welsh NHS bodies” means—

- (a) Local Health Boards,
- (b) National Health Service trusts all or most of whose hospitals, establishments and facilities are situated in Wales,
- (c) Special Health Authorities performing functions only or mainly in respect of Wales, and
- (d) cross-border Special Health Authorities but only so far as their functions are performed in respect of Wales.]

Textual Amendments

- F1** Words in s. 42(1) inserted (21.7.2008 for certain purposes and 1.10.2010 otherwise) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 170(1)(b)(3), [Sch. 5 para. 28\(2\)](#); S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 Pt. 2 (with arts. 3-22)
- F2** S. 42(2)(2A) substituted (21.7.2008 for certain purposes and 1.10.2010 otherwise) for s. 42(2) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 170(1)(b)(3), [Sch. 5 para. 28\(3\)](#); S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 Pt. 2 (with arts. 3-22)
- F3** Words in s. 42(4) inserted (21.7.2008 for certain purposes and 1.10.2010 otherwise) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 170(1)(b)(3), [Sch. 5 para. 28\(4\)](#); S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 Pt. 2 (with arts. 3-22)
- F4** S. 42(5) inserted (20.11.2003 for certain purposes and 1.4.2004 otherwise) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 147, 199, [Sch. 9 para. 25](#); S.I. 2004/759, [art. 5\(2\)](#)
- F5** S. 42(5) repealed (21.7.2008 for certain purposes and 1.10.2010 otherwise) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 166, 170(1)(b)(3), [Sch. 5 para. 28\(5\)](#); Sch. 15 Pt. 1; S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 Pt. 2 (with arts. 3-22)
- F6** Words in s. 42(5) substituted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 157, 188, [Sch. 14 para. 50](#); S.I. 2007/935, [art. 5](#)
- F7** S. 42(6)(7) inserted (21.7.2008 for certain purposes and 1.10.2010 otherwise) by [Health and Social Care Act 2008 \(c. 14\)](#), ss. 95, 170(1)(b)(3), [Sch. 5 para. 28\(6\)](#); S.I. 2010/807, [art. 2\(2\)](#), Sch. 1 Pt. 2 (with arts. 3-22)

Commencement Information

- I1** S. 42 wholly in force at 1.9.2003; s. 42 not in force at Royal Assent see s. 122; s. 42 in force for W. at 1.7.2001 by S.I. 2001/2190, [art. 2](#), [Sch. Table](#); s. 42 in force for E. at 1.9.2003 by S.I. 2003/933, [art. 2\(3\)](#)

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