

2002 No. 1505

**PUBLIC HEALTH, ENGLAND
SOCIAL CARE, ENGLAND**

**The National Care Standards Commission (Fees and
Frequency of Inspections) (Amendment) Regulations 2002**

<i>Made</i> - - - - -	<i>10th June 2002</i>
<i>Laid before Parliament</i>	<i>10th June 2002</i>
<i>Coming into force</i> - -	<i>1st July 2002</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 12(2), 16(3), 31(7) and 118(5) to (7) of the Care Standards Act 2000(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Care Standards Commission (Fees and Frequency of Inspections) (Amendment) Regulations 2002 and shall come into force on 1st July 2002.

(2) These Regulations extend to England only.

Amendment of the National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2001

2.—(1) The National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2001(b) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 2 (interpretation), in the definition of “new provider”, in head (a), for “1st July 2002” substitute “1st September 2002”.

(3) In regulation 3(3)(a) (registration fees), for “1st July 2002”, substitute “1st September 2002”.

(4) In regulation 5 (annual fees), in the entry in the Table entitled “(k) Nurses agency”, in head (a) of column (5), for “1 July 2002” substitute “1 September 2002”.

(5) In regulation 6(5) (frequency of inspections), for “1st July 2002” substitute “1st September 2002”.

10th June 2002

Jacqui Smith
Minister of State,
Department of Health

(a) 2000 c. 14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1), in relation to England, Scotland and Northern Ireland, as the Secretary of State. See section 121(1) for the definition of “prescribed” and “regulations”.

(b) S.I. 2001/3980.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Care Standards Commission (Fees and Frequency of Inspections) Regulations 2001 in consequence of the registration of nurses agencies, domiciliary care agencies and residential family centres under Part II of the Care Standards Act 2000 being deferred until 1st September 2002. These Regulations amend:

regulation 2 (interpretation), so that a “new provider”, in the case of a residential family centre, a nurses agency or a domiciliary care agency will be a person who carries on such an establishment or agency after 1st September 2002, and not 1st July 2002;

regulation 3(3)(a) (registration fees), so that where an application for registration is made by a person who manages an existing undertaking which is a licensed nurses agency, then provided that that application is made before 1st September 2002, no registration fee will be payable;

in regulation 5 (annual fees), the entry in the Table entitled “(k) Nurses agency” so that in the case of an existing provider the first annual fee is due on the anniversary first occurring after 1st September 2002; and

regulation 6(5) (frequency of inspections), to provide that in the case of a residential family centre, a nurses agency or a domiciliary care agency, the “12 month period” ending on 31st March 2003 (during which an inspection of the establishment or agency is to be carried out by the National Care Standards Commission) is to be treated as commencing on 1st September 2002, and not 1st July 2002.

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