

2003 No. 2280 (C. 90)

**NATIONAL HEALTH SERVICES, ENGLAND
SOCIAL SERVICES, ENGLAND**

**The Community Care (Delayed Discharges etc.) Act 2003
(Commencement No.1) (England) Order 2003**

Made - - - - - 3rd September 2003

In exercise of the powers conferred on the Secretary of State by section 20(2) of the Community Care (Delayed Discharges etc.) Act 2003(a), the Secretary of State for Health hereby makes the following Order:—

Citation, interpretation and application

1.—(1) This Order may be cited as the Community Care (Delayed Discharges etc.) Act 2003 (Commencement No.1) (England) 2003.

(2) In this Order—

“the Act” means the Community Care (Delayed Discharges etc.) Act 2003.

(3) This Order applies to England only.

Appointed day

2.—(1) 4th September 2003 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 1(1) and (2);
- (b) section 3(3) and (5);
- (c) section 5(7), (8) and (10);
- (d) section 6(7);
- (e) section 7(1) and (3);
- (f) section 9(1) and (3) to (6);
- (g) sections 10, 11 and 12;
- (h) for the purpose only of the exercise of any power to make regulations, section 6(2) and section 9(2).

(2) 1st October 2003 is the day appointed for the coming into force of the following provisions of the Act—

- (a) in so far as they are not already in force, sections 1, 3, 5 and 9(2);
- (b) sections 2, 4, 8 and 13.

(a) 2003 c. 5.

(3) 5th January 2004 is the day appointed for the coming into force of the following provisions of the Act—

- (a) section 6(1) and (3) to (6);
- (b) section 6(2), in so far as it is not already in force;
- (c) section 7(2).

Signed by authority of the Secretary of State for Health

Stephen Ladyman
Parliamentary Under Secretary of State,
Department of Health

3rd September 2003

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, in relation to England only, certain provisions of the Community Care (Delayed Discharges etc.) Act 2003. That Act makes provision about the duties of NHS bodies and local authorities in cases where the discharge of patients is delayed for reasons relating to the provision of community care services or services for carers.

Article 2(1) brings into force certain provisions conferring powers to make regulations and provisions dealing with interpretation. The appointed day is 4th September 2003.

Article 2(2) brings into force provisions of the Act relating to the delayed discharge system on 1st October 2003, except for local authorities' duties to make payments in respect of delayed discharges.

Article 2(3) brings into force, on 5th January 2004, the provisions relating to local authorities' duties to make payments in respect of delayed discharges.

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