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STATUTORY INSTRUMENTS

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**2009 No. 462**

**The Health and Social Care Act 2008 (Commencement No.9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009**

**Citation, commencement, extent, application and interpretation**

1.—(1) This Order may be cited as the Health and Social Care Act 2008 (Commencement No. 9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009 and shall come into force—

- (a) for the purposes of article 6 on 27th March 2009,
  - (b) for all other purposes except paragraphs 1 and 2 of Schedule 5 on 1st April 2009; and
  - (c) for the purposes of paragraphs 1 and 2 of Schedule 5 on 6th April 2009.
- (2) Subject to paragraph (4), this Order extends to England and Wales only except that—
- (a) paragraph 24 of Schedule 1, and article 2 insofar as it relates to that paragraph, extends to England and Wales, Scotland and Northern Ireland;
  - (b) paragraph 25 of Schedule 1, and article 2 insofar as it relates to that paragraph, extends to England and Wales and Northern Ireland only;
  - (c) the amendment, repeal and revocation of any enactment commenced by article 2 and paragraphs 35 and 36 of Schedule 1 has the same extent as the enactment amended, repealed or revoked;
  - (d) article 4 insofar as it relates to—
    - (i) the repeal effected by the Act in section 16(2)(a)(v) of the Maintenance Orders Act 1950(1), and
    - (ii) section 147(6) of, and Schedule 13 to the Act, so far as relating to that repeal, extends to England and Wales and Scotland only; and
  - (e) paragraph 10 of Schedule 3, and article 9 insofar as it relates to that paragraph, extends to England and Wales, Scotland and Northern Ireland.
- (3) The following provisions apply in relation to England only—
- (a) articles 6, 7 and 11;
  - (b) paragraphs 14 to 23 of Schedule 3 and article 9 insofar as it relates to those paragraphs; and
  - (c) paragraphs 4(1), 5 and 15 of Schedule 4 and article 10 insofar as it relates to those paragraphs.
- (4) The amendment, revocation or modification of any provision by articles 8, 12 and 15 of, and Schedules 2, 5 and 6 to, this Order has the same extent and application as the provision being amended, revoked or modified.
- (5) In this Order—

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**Status:** This is the original version (as it was originally made).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

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“the 1983 Act” means the Mental Health Act 1983<sup>(2)</sup>;

“the 2000 Act”, means the Care Standards Act 2000<sup>(3)</sup>;

“the 2003 Act” means the Health and Social Care (Community Health and Standards) Act 2003<sup>(4)</sup>;

“the Act” means the Health and Social Care Act 2008;

“the appointed day” means 1st April 2009;

“the CHAI” means the Commission for Healthcare Audit and Inspection;

“the CSCI” means the Commission for Social Care Inspection; and

“the MHAC” means the Mental Health Act Commission.

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(2) 1983 c.20.  
(3) 2000 c.14.  
(4) 2003 c.43.