
STATUTORY INSTRUMENTS

2016 No. 464 (C. 25)

**MENTAL HEALTH, ENGLAND AND WALES
SOCIAL CARE**

The Care Act 2014 (Commencement No. 5) Order 2016

Made - - - - *24th March 2016*

The Secretary of State makes this Order in exercise of the powers conferred by section 127(1) of the Care Act 2014(1).

In accordance with section 127(3) of the Care Act 2014, the Secretary of State has obtained the consent of the Welsh Ministers before making this Order.

Citation

1. This Order may be cited as the Care Act 2014 (Commencement No. 5) Order 2016.

Provisions coming into force on 6th April 2016

2. 6th April 2016 is the day appointed for the coming into force of the following provisions of the Care Act 2014 insofar as they are not already in force—

- (a) section 50 (provider failure: temporary duty on local authority in Wales);
- (b) insofar as it relates to section 50, section 52 (sections 48 to 51: supplementary) apart from subsection (14);
- (c) Schedule 1 (cross-border placements), paragraph 2 (which relates to placements from Wales to England, Scotland and Northern Ireland) and paragraph 13 (consequential provision);
- (d) section 75(8) to (11) and Part 2 of Schedule 4 (after-care in Wales under the Mental Health Act 1983).

Status: This is the original version (as it was originally made).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

Signed by authority of the Secretary of State for Health.

24th March 2016

Alistair Burt
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Care Act 2014 (c.23) (“the Act”). It is the fifth such Order to be made under the Act.

Article 2 brings into force the following provisions of the Act on 6th April 2016 insofar as they are not already in force—

- (a) section 50 (provider failure: temporary duty on local authority in Wales);
- (b) insofar as it relates to section 50, section 52 (sections 48 to 51: supplementary) apart from subsection (14);
- (c) paragraphs 2 and 13 of Schedule 1 (cross-border placements);
- (d) section 75(8) to (11) and Part 2 of Schedule 4 (after-care in Wales under the Mental Health Act 1983).

A full impact assessment has not been produced for this instrument as this Order itself has no impact on the private sector or civil society organisations. Impact Assessments carried out in relation to the Act are available from the Department of Health, Richmond House, 79 Whitehall, London, SW1A 2NS and at <https://www.gov.uk/government/publications/the-government-published-a-series-of-impact-assessments-alongside-the-care-bill>.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Care Act 2014 have been brought into force by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement Order</i>	<i>S.I. No.</i>
section 1	1.4.2015	2015/993
section 2(3) and (4) (partially)	1.10.2014	2014/2473
section 2 (remainder)	1.4.2015	2015/993
section 3 to 11	1.4.2015	2015/993
section 12(1) and (2) (partially)	1.10.2014	2014/2473
section 12 (remainder)	1.4.2015	2015/993
section 13(7) and (8) (partially)	1.10.2014	2014/2473
section 13 (remainder)	1.4.2015	2015/993
section 14(1), (3) and (4)	1.4.2015	2015/993
section 14(5) to (8) (partially)	1.10.2014	2014/2473
section 14(5) to (8) remainder)	1.4.2015	2015/993

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<i>Provision</i>	<i>Date of Commencement Order</i>	<i>S.I. No.</i>
section 17(1) and (3) to (6)	1.4.2015	2015/993
section 17(7) to (13) (partially)	1.10.2014	2014/2473
section 17(7) to (13) (remainder)	1.4.2015	2015/993
section 18(1)(a) and (c) (partially)	1.4.2015	2015/993
section 18(2)	1.4.2015	2015/993
section 18(3) (partially)	1.4.2015	2015/993
section 18(4)	1.4.2015	2015/993
section 18(6) (partially)	1.4.2015	2015/993
section 18(7) (partially)	1.4.2015	2015/993
sections 19 to 21	1.4.2015	2015/993
section 22(4)(a) and (6) (partially)	1.10.2014	2014/2473
section 22 (remainder)	1.4.2015	2015/993
section 23(1)(b) (partially)	1.10.2014	2014/2473
section 23 (remainder)	1.4.2015	2015/993
section 24(1) and (2)	1.4.2015	2015/993
section 25	1.4.2015	2015/993
section 26(1) and (3)	1.4.2015	2015/993
section 26(4) (partially)	1.10.2014	2014/2473
section 26(4) (remainder)	1.4.2015	2015/993
section 27	1.4.2015	2015/993
section 30 (partially)	1.10.2014	2014/2473
section 30 (remainder)	1.4.2015	2015/993
sections 31 and 32	1.4.2015	2015/993
section 33(1) and (2) (partially)	1.10.2014	2014/2473
section 33 (remainder)	1.4.2015	2015/993
section 34(1), (2) and (4) to (8) (partially)	1.10.2014	2014/2473
section 34 (remainder)	1.4.2015	2015/993
section 35 (partially)	1.10.2014	2014/2473
section 35 (remainder)	1.4.2015	2015/993
section 37(1), (3), (4), (5)(a), (e) and (f) and (6) to (15)	1.4.2015	2015/993
section 38(1)(a) and (2) to (7)	1.4.2015	2015/993
section 38(8) (partially)	1.10.2014	2014/2473
section 38(8) (partially)	1.4.2015	2015/993

<i>Provision</i>	<i>Date of Commencement Order</i>	<i>S.I. No.</i>
section 39(1) (partially)	1.10.2014	2014/2473
section 39(1) (remainder)	1.4.2015	2015/993
section 39(2)	1.4.2015	2015/993
section 39(3) (partially)	1.10.2014	2014/2473
section 39(3) (remainder)	1.4.2015	2015/993
section 39(4) to (7)	1.4.2015	2015/993
section 39(8) (partially)	1.10.2014	2014/2473
section 39(8) (partially)	1.4.2015	2015/993
section 40(4) (partially)	1.10.2014	2014/2473
section 40 (remainder)	1.4.2015	2015/993
sections 41 to 49	1.4.2015	2015/993
section 51	1.4.2015	2015/993
section 52(1) to (11) (partially)	1.4.2015	2015/993
section 52(12) (partially)	1.10.2014	2014/2473
section 52(12) (partially)	1.4.2015	2015/993
section 52(13) (partially)	1.4.2015	2015/993
section 53(1), (2) and (7) (partially)	1.10.2014	2014/2473
section 53 (remainder)	6.4.2015	2015/993
section 54	6.4.2015	2015/993
section 55(5) (partially)	1.10.2014	2014/2473
section 55 (remainder)	6.4.2015	2015/993
sections 56 and 57	6.4.2015	2015/993
sections 58 to 61	1.4.2015	2015/993
section 62(2) (partially)	1.10.2014	2014/2473
section 62 (remainder)	1.4.2015	2015/993
sections 63 and 64	1.4.2015	2015/993
section 65(1) (partially)	1.10.2014	2014/2473
section 65 (remainder)	1.4.2015	2015/993
section 66	1.4.2015	2015/993
section 67(7) (partially)	1.10.2014	2014/2473
section 67 (remainder)	1.4.2015	2015/993
sections 68 to 70	1.4.2015	2015/993
section 73	1.4.2015	2015/993

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<i>Provision</i>	<i>Date of Commencement Order</i>	<i>S.I. No.</i>
section 74 (partially)	1.10.2014	2014/2473
section 74 (remainder)	1.4.2015	2015/993
section 75(1) to (5)	1.4.2015	2015/993
section 75(6) and (7) (partially)	1.10.2014	2014/2473
section 75(6) and (7) (remainder)	1.4.2015	2015/993
section 75(11) (partially)	1.4.2015	2015/993
section 75(12) and (13)	1.4.2015	2015/993
section 76	1.4.2015	2015/993
section 77(2) (partially)	1.10.2014	2014/2473
section 77 (remainder)	1.4.2015	2015/993
sections 78 and 79	1.4.2015	2015/993
section 80(1) (partially)	1.10.2014	2014/2473
section 80 (partially)	1.4.2015	2015/993
section 81 (partially)	7.7.2014	2014/1714
section 81 (remainder)	15.7.2014	2014/1714
sections 82 and 83	1.4.2015	2015/993
section 84	15.7.2014	2014/1714
section 85	15.7.2014	2014/1714
sections 86 to 90	1.10.2014	2014/2473
section 91(1) and (2) (partially)	7.7.2014	2014/1714
section 91 (remainder)	1.10.2014	2014/1714
section 92(1) and (3) to (6) (partially)	15.7.2014	2014/1714
section 92 (remainder)	1.4.2015	2015/993
sections 93 and 94	1.4.2015	2015/993
section 95	1.10.2014	2014/2473
section 96(2) and (4) (partially)	1.10.2014	2014/2473
section 96 (remainder)	1.4.2015	2014/3186
section 97(7)	1.10.2014	2014/2473
section 97 (remainder)	1.4.2015	2014/3186
sections 98 to 103	1.4.2015	2014/3186
section 104(3)(b), (4), (13)(a) and (14) (partially)	1.10.2014	2014/2473
section 104 (remainder)	1.4.2015	2014/3186
section 105(1) and (4) (partially)	1.10.2014	2014/2473

<i>Provision</i>	<i>Date of Commencement Order</i>	<i>S.I. No.</i>
section 105 (remainder)	1.4.2015	2014/3186
sections 106 to 108	1.4.2015	2014/3186
section 109(2) (partially)	15.7.2014	2014/1714
section 109(4) (partially)	1.10.2014	2014/2473
section 109 (remainder)	1.1.2015	2014/2473
sections 110 to 117	1.1.2015	2014/2473
section 118	1.10.2014	2014/2473
section 119 (partially)	1.10.2014	2014/2473
section 119 (partially)	1.1.2015	2014/2473
section 119 (remainder)	1.4.2015	2014/3186
section 120	15.7.2014	2014/1714
section 121	1.10.2014	2014/2473
section 122(1) (partially)	15.7.2014	2014/1714
section 122(1) (remainder)	1.1.2015	2014/2473
section 122(2) and (3)	15.7.2014	2014/1714
section 122(4)	1.1.2015	2014/2473
Schedule 1 (partially)	1.10.2014	2014/2473
Schedule 1 (partially)	1.4.2015	2015/993
Schedule 2	1.4.2015	2015/993
Schedule 3 (partially)	1.10.2014	2014/2473
Schedule 3 (remainder)	1.4.2015	2015/993
Schedule 4 (partially)	1.10.2014	2014/2473
Schedule 4 (partially)	1.4.2015	2015/993
Schedule 5 (partially)	1.10.2014	2014/2473
Schedule 5 (remainder)	1.4.2015	2014/3186
Schedule 6 (partially)	1.10.2014	2014/2473
Schedule 6 (remainder)	1.4.2015	2014/3186
Schedule 7 (partially)	15.7.2014	2014/1714
Schedule 7 (remainder)	1.1.2015	2014/2473
Schedule 8	1.1.2015	2014/2473