
S T A T U T O R Y I N S T R U M E N T S

2004 No. (C.)

PUBLIC HEALTH, ENGLAND AND WALES

PROTECTION OF VULNERABLE ADULTS

**The Care Standards Act 2000 (Commencement No. 20) Order
2004**

Made - - - -

2004

The Secretary of State and the National Assembly for Wales, acting jointly in exercise of the powers conferred upon them by sections 118(5) and (6) and 122 of the Care Standards Act 2000(1), hereby make the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Care Standards Act 2000 (Commencement No. 20) Order 2004.

(2) In this Order “the Act” means the Care Standards Act 2000.

Appointed Days

2.—(1) 26th July 2004 is the day appointed for the coming into force of the following provisions of the Act so far as they are not already in force, and those provisions shall come into force on that day for all purposes—

- (a) section 80(1), (2)(a) and (c), (3) (in so far as it relates to positions mentioned in subsections (2)(a) and (c)), (4), (5), (6)(a) and (b), (7)(a) and (b) and (8) (basic definitions), so far as not already in force;
- (b) section 81 (duty of secretary of state to keep list);
- (c) section 82 (persons who provide care for vulnerable adults: duty to refer);
- (d) section 83 (employment agencies and businesses: duty to refer);
- (e) section 84 (power of registration authority to refer);
- (f) section 85 (individuals named in the findings of certain inquiries);
- (g) section 86 (appeals against inclusion in list);
- (h) section 87 (applications for removal from list);
- (i) section 88 (conditions for application under section 87);
- (j) section 89 (effect of inclusion in list);

(1) 2000 c.14. The powers are exercisable by the appropriate Minister, who is defined in section 121(1), in relation to England and Wales, as the Secretary of State and the National Assembly for Wales acting jointly.

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- (k) section 90 (searches of list under Part V of Police Act 1997⁽²⁾);
- (l) section 92 (persons referred for inclusion in list under Protection of Children Act 1999⁽³⁾);
- (m) section 93 (power to extend part 7);
- (n) section 97 (inclusion in list on reference under Part 7 of Care Standards Act 2000); and
- (o) sub-paragraph (3) of paragraph 26 of Schedule 4 and section 116, in so far as it relates to that sub-paragraph, but only for the purposes of an application pursuant to sections 87 and 88.

Signed by authority of the Secretary of State for Health

Date

Minister of State
Department of Health

Signed on behalf of the National Assembly for Wales
under section 66(1) of the Government of Wales Act 1998⁽⁴⁾

Date

National Assembly for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, in relation to England and Wales, certain provisions of the Care Standards Act 2000 which provide for the establishment and operation of the Protection of Vulnerable Adults list (“the list”). The provisions, in so far as they are not already in force, are commenced with effect from 26th July 2004. They are:—

section 80, in so far as it applies in relation to care homes and domiciliary care agencies only, section 81, section 82, section 83, section 84, section 85, section 86, section 87, section 88, section 89, section 90, section 92, section 93, section 97, and sub-paragraph (3) of paragraph 26 of Schedule 4 and section 116, in so far as it relates to that sub-paragraph, but only for the purposes of an application for removal from the list pursuant to sections 87 and 88.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Care Standards Act 2000 have been brought into force—

- (a) in relation to England (as well as Wales) by—

⁽²⁾ 1997 c.50.
⁽³⁾ 1999 c.14.
⁽⁴⁾ 1998 c.38.

- the Care Standards Act 2000 (Commencement No. 1) Order 2000 (S.I.2000/2544) (C.72);
and
the Care Standards Act 2000 (Commencement No. 11) Order 2002 (S.I.2002/629) (C.19);
- (b) in relation to England by—
- the Care Standards Act 2000 (Commencement No. 1 (England) and Transitional Provisions) Order 2000 (S.I.2000/2795) (C.79);
the Care Standards Act 2000 (Commencement No. 2 (England) and Transitional Provisions) Order 2001 (S.I.2001/290) (C.17);
the Care Standards Act 2000 (Commencement No. 3) (England) Order 2001 (S.I.2001/731) (C.26);
the Care Standards Act 2000 (Commencement No. 4) (England) Order 2001 (S.I.2001/1193) (C.39);
the Care Standards Act 2000 (Commencement No. 5) (England) Order 2001 (S.I.2001/1210) (C.41);
the Care Standards Act 2000 (Commencement No. 6) (England) Order 2001 (S.I.2001/1536) (C.55);
the Care Standards Act 2000 (Commencement No. 7 (England) and Transitional, Transitory and Savings Provisions) Order 2001 (S.I.2001/2041) (C.68);
the Care Standards Act 2000 (Commencement No. 8) (England) Order 2001 (S.I.2001/3331) (C.109);
the Care Standards Act 2000 (Commencement No. 9 (England) and Transitional and Savings Provisions) Order 2001 (S.I.2001/3852) (C.125);
the Care Standards Act 2000 (Commencement No. 10 (England) and Transitional, Savings and Amendment Provisions) Order 2001 (S.I.2001/4150) (C.134);
the Care Standards Act 2000 (Commencement No. 12) (England) Order 2002 (S.I.2002/1245) (C.33);
the Care Standards Act 2000 (Commencement No. 13) (England) Order 2002 (S.I.2002/839) (C.22);
the Care Standards Act 2000 (Commencement No. 14 (England) and Transitional, Savings and Amendment Provisions) Order 2002 (S.I.2002/1493) (C.43);
the Care Standards Act 2000 (Commencement No. 15 (England) and Transitional Provisions) (Amendment) Order 2002 (S.I.2002/1790) (C.55);
the Care Standards Act 2000 (Commencement No.16) (England) Order 2002 (S.I. 2002/2215) (C.70);
the Care Standards Act 2000 (Commencement No.17 (England) and Transitional and Savings Provisions) Order 2003 (2003/365) (C.23);
the Care Standards Act 2000 (Commencement No. 18) (England) Order 2003 (2003/933) (C.47); and
the Care Standards Act 2000 (Commencement No. 19) (England) Order 2004 (2004/484).

<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 3 (partially)	20 th November 2001	2001/3852
Sections 1 to 3 (partially)	1 st January 2002	2001/3852
Sections 1 to 3 (in so far as they are not already in force)	1 st April 2002	2001/3852
Section 4 (partially)	20 th November 2001	2001/3852
Section 4 (partially)	1 st January 2002	2001/3852
Section 4 (partially)	1 st April 2002	2001/3852
Section 4 (partially)	1 st September 2002	2001/3852

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i> (amended by 2002/1790)
Section 4 (in so far as not already in force)	25 th February and 30 th April 2003	2003/365
Section 5 (partially)	1 st April 2002	2001/3852
Section 6(3) and Schedule 1 (partially)	16 th March 2001	2001/1193
Section 6 and Schedule 1 (partially)	9 th April 2001	2001/1193
Section 7	1 st April 2002	2001/3852
Section 10 (partially)	1 st April 2002	2001/3852
Section 11 (partially)	20 th November 2001	2001/3852
Section 11 (in so far as not already in force)	1 st April 2002	2001/3852
Section 12 (partially)	20 th November 2001	2001/3852
Sections 12 and 13 (partially)	1 st January 2002	2001/3852
Sections 12 and 13 (in so far as they are not already in force)	1 st April 2002	2001/3852
Sections 14 to 16 (partially)	20 th November 2001	2001/3852
Sections 14 to 16 (partially)	1 st January 2002	2001/3852
Sections 14 to 16 (in so far as they are not already in force)	1 st April 2002	2001/3852
Sections 17 to 20	1 st April 2002	2001/3852
Section 21 (partially)	20 th November 2001	2001/3852
Section 21 (in so far as not already in force)	1 st April 2002	2001/3852
Section 22	20 th November 2001	2001/3852
Section 23(1) to (3)	2 nd March 2001	2001/731
Section 23(4) (partially)	1 st January 2002	2001/3852
Section 23 (in so far as not already in force)	1 st April 2002	2001/3852
Section 24	1 st April 2002	2001/3852
Section 25 (partially)	20 th November 2001	2001/3852
Section 25 (in so far as not already in force)	1 st April 2002	2001/3852
Section 26	1 st April 2002	2001/3852
Section 27 (partially)	1 st January 2002	2001/3852
Section 27 (in so far as not already in force)	1 st April 2002	2001/3852
Sections 28 to 30	1 st April 2002	2001/3852
Section 31 (partially)	20 th November 2001	2001/3852
Sections 31 and 32 (partially)	1 st January 2002	2001/3852
Sections 31 and 32 (in so far as they are not already in force)	1 st April 2002	2001/3852
Sections 33 to 36 (partially)	20 th November 2001	2001/3852
Sections 33 to 36 (in so far as they are not already in force)	1 st April 2002	2001/3852
Section 37	1 st April 2002	2001/3852
Section 38	20 th November 2001	2001/3852
Section 39 (partially)	19 th February 2001	2001/290
Section 39 (in so far as not already in force)	19 th March 2001	2001/290
Section 40 (partially)	15 th October 2000	2000/2795
Section 40 (in so far as not already in force)	1 st January 2001	2000/2795
Section 41	1 st January 2001	2000/2795
Section 42	1 st September 2003	2003/933
Sections 43, 45(4), 48, 49, 50, 51 and 52 (partially)	20 th November 2001	2001/3852
Sections 43(1), (2), (3)(b), 44, 45, 46(1) to (6), (7)(a) and (b) and (8), and 47 to 53 (partially)	1 st April 2002	2001/3852

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 43(1) to (3)(a), 45(4), 49(1) and 51(1) (partially)	24 th February 2003	2003/365
Sections 43, 44, 45, 46(1) to (6), (7)(c) and (d) and (8), 47, 49, 51 and 53 (in so far as not already in force)	30 th April 2003	2003/365
Section 54 and Schedule 1 (partially)	10 th April 2001	2001/1536
Section 54 and Schedule 1 (partially)	7 th May 2001	2001/1536
Section 54 (partially)	25 th March 2002	2002/1245
Section 55 (partially)	7 th May 2001	2001/1536
Section 55 (partially)	25 th March 2002	2002/1245
Section 55 (partially)	7 th March 2003	2003/933
Section 55 (partially)	1 st March 2004	2004/484
Section 56 (partially)	1 st April 2003	2003/933
Section 56 (partially)	1 st March 2004	2004/484
Section 57 (partially)	7 th March 2003	2003/933
Section 58 (partially)	1 st April 2003	2003/933
Section 59 (partially)	7 th May 2001	2001/1536
Section 59 (partially)	1 st April 2003	2003/933
Section 60 (partially)	7 th May 2001	2001/1536
Section 60 (partially)	1 st April 2003	2003/933
Section 62 (partially)	7 th May 2001	2001/1536
Section 62 (partially)	25 th March 2002	2002/1245
Section 63 (partially)	7 th May 2001	2001/1536
Section 63 (partially)	25 th March 2002	2002/1245
Section 64 (partially)	1 st April 2003	2003/933
Section 65 (partially)	7 th May 2001	2001/1536
Section 65 (partially)	1 st April 2003	2003/933
Section 66 (partially)	7 th May 2001	2001/1536
Section 66 (partially)	25 th March 2002	2002/1245
Section 67 (partially)	25 th March 2002	2002/1245
Section 68 (partially)	1 st April 2003	2003/933
Section 69 (partially)	1 st April 2003	2003/933
Section 70(1) (partially)	25 th March 2002	2002/1245
Section 71 (partially)	7 th May 2001	2001/1536
Section 71 (partially)	25 th March 2002	2002/1245
Section 79 and Schedule 3 (partially)	16 th March 2001	2001/1210
Section 79 (partially) and Schedule 3 (in so far as not already in force)	2 nd July 2001	2001/2041
Section 79 (1) (partially)	2 nd September 2002	2001/2041
Section 79 (1) (partially)	1 st April 2002	2002/839
Section 79 (1) (partially)	2 nd September 2002	2002/2215
Section 80(8) (partially)	2 nd October 2000	2000/2544
Section 94	2 nd October 2000	2000/2544
Section 95	1 st April 2002	2002/1493
Section 96 (partially)	15 th September 2000	2000/2544
Section 96 (in so far as not already in force)	2 nd October 2000	2000/2544
Section 98	1 st April 2001	2001/1193
Section 99	15 th September 2000	2000/2544
Section 100	2 nd October 2000	2000/2544
Section 101	2 nd October 2000	2000/2544
Section 102	18 th March 2002	2002/629

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<i>Provision of the Act</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 103	2 nd October 2000	2000/2544
Section 104 (partially)	18 th March 2002 and 1 st April 2002	2002/629
Section 104 (partially)	1 st April 2003	2003/933
Sections 105(1) to (4), 107 and 108 (partially)	20 th November 2001	2001/3852
Sections 105 to 110 (in so far as they are not already in force)	1 st April 2002	2001/3852
Section 111 (partially)	1 st September 2002	2001/3852 (amended by 2002/1790)
Section 112	4 th October 2001	2001/3331
Section 113(1), (3) and (4) (partially)	25 th March 2002	2002/1245
Sections 114 and 115	16 th March 2001	2001/1210
Section 116 and Schedule 4 (partially)	2 nd October 2000	2000/2544
Section 116 and Schedule 4 (partially)	1 st January 2001	2000/2795
Section 116 and Schedule 4 (partially)	2 nd July 2001	2001/2041
Section 116 and Schedule 4 (partially)	1 st April 2002	2001/3852
Section 116 and Schedule 4 (partially)	1 st April 2002	2001/4150
Section 116 and Schedule 4 (partially)	1 st April 2002	2002/1493
Section 116 and Schedule 4 (partially)	24 th February, 30 th April and 1st June 2003	2003/365
Section 116 and Schedule 4 (partially)	7 th March 2003	2003/933
Section 117(2) and Schedule 6 (partially)	2 nd October 2000	2000/2544
Section 117(2) and Schedule 6 (partially)	4 th October 2001	2001/3331
Section 117(2) and Schedule 6 (partially)	1 st April 2002	2001/3852
Section 117(2) and Schedule 6 (partially)	1 st September 2002	2001/3852 (amended by 2002/1790)
Section 117(2) and Schedule 6 (partially)	1 st April 2002	2001/4150
Section 117(2) and Schedule 6 (partially)	1 st September 2002	2001/4150 (amended by 2002/1790)
Section 117(2) and Schedule 6 (partially)	30 th April and 1 st June 2003	2003/365

Certain provisions of the Act have been brought into force in relation to Wales only, by the following statutory instruments—

- S.I.2000/2992 (W. 192) (C. 93)
- S.I.2001/139 (W. 5) (C. 7)
- S.I.2001/2190 (W. 152) (C. 70)
- S.I.2001/2354 (W. 192) (C. 80)
- S.I.2001/2504 (W. 205) (C. 82)
- S.I.2001/2538 (W. 213) (C. 83)
- S.I.2001/2782 (W. 235) (C. 92)
- S.I.2002/920 (W. 108) (C. 24)
- S.I. 2002/1175 (W. 123) (C.31)
- S.I. 2003/152 (W.22) (C.8)
- S.I. 2003/501 (W.70) (C.27)
- S.I. 2003/2528 (W.243) (C.95).