

**2014 No. 1793 (W. 186) (C. 78)**

**SOCIAL CARE, WALES**

The Health and Social Care  
(Community Health and Standards)  
Act 2003 Commencement (Wales)  
(No. 6) Order 2014

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is the sixth commencement order made by the Welsh Ministers under the Health and Social Care (Community Health and Standards) Act 2003 (“the Act”).

Article 2 commences, on 1 August 2014, the repeal of section 7B of the Local Authority Social Services Act 1970 under which the Welsh Ministers have the power to require, by Order, local authorities to establish complaints procedures. This power is no longer required as the Welsh Ministers are able to require local authorities to establish complaints procedures under powers in sections 114 and 115 of the Act.

**NOTE AS TO EARLIER COMMENCEMENT  
ORDERS**

*(This note is not part of the Order)*

The provisions of the Health and Social Care (Community Health and Standards) Act 2003 listed in the table below have been brought into force in Wales by commencement orders made before the date of this Order. The provisions commenced by S.I. 2003/3346; S.I. 2004/759; S.I. 2005/457; S.I. 2005/2278; S.I. 2005/2925; S.I. 2006/836; S.I. 2006/1407; S.I. 2006/1680; S.I. 2006/2817; S.I. 2006/3397 and S.I. 2007/1102, have been commenced in relation to England and Wales. The provisions commenced by S.I. 2004/480 (W.49); S.I. 2004/873 (W.88); S.I. 2005/3285 (W.249); S.I. 2006/345 (W.42) and S.I. 2011/212 (W.43) have been commenced in relation to Wales.

| <i>Provision</i>          | <i>Date of Commencement</i> | <i>S.I. No.</i>                               |
|---------------------------|-----------------------------|---|
| Section 1                 | 1.4.2004                    | 2004/759                                      |
| Sections 2 to 4           | 1.1.2004                    | 2003/3346                                     |
| Sections 5 to 20          | 1.4.2004                    | 2004/759                                      |
| Sections 22 to 35         | 1.4.2004                    | 2004/759                                      |
| Section 36                | 1.1.2004                    | 2003/3346                                     |
| Sections 37 to 39         | 1.4.2004                    | 2004/759                                      |
| Section 40                | 1.1.2004                    | 2003/3346                                     |
| Section 41                | 8.1.2004                    | 2003/3346                                     |
| Section 43                | 11.3.2004                   | 2004/759                                      |
| Section 44                | 1.4.2004                    | 2004/759                                      |
| Sections 45 and 46        | 1.4.2004                    | 2004/759                                      |
| Section 47 as to Wales    | 1.4.2004                    | 2004/873 (W.88)                               |
| Sections 48 and 49        | 1.4.2004                    | 2004/759                                      |
| Section 50(1) (partially) | 1.4.2004                    | 2004/759                                      |
| Section 50(1) (partially) | 1.4.2006                    | 2004/759 as amended by 2006/836               |
| Section 50(1) (partially) | 1.4.2007                    | 2004/759 as amended by 2006/836 and 2007/1102 |
| Section 50(1) (partially) | 1.4.2008                    | 2004/759 as amended by 2006/836               |
| Section 50(2) and (3)     | 1.4.2005                    | 2004/759                                      |
| Section 50(4)             | 1.4.2006                    | 2004/759                                      |

|  |          |                   |
|--|----------|-------------------|
| Section 50(5)                            | 1.4.2004 | 2004/759          |
| Section 51(1) to (3), (5) and (6)        | 1.4.2004 | 2004/759          |
| Section 51(4)                            | 1.4.2005 | 2004/759          |
| Section 52(1) to (4), (6) and (7)        | 1.4.2004 | 2004/759          |
| Section 52(5)                            | 1.4.2005 | 2004/759          |
| Sections 53 to 57                        | 1.4.2004 | 2004/759          |
| Sections 60 and 61                       | 1.4.2004 | 2004/759          |
| Sections 64 to 68                        | 1.4.2004 | 2004/759          |
| Sections 70-75 as to Wales               | 1.4.2004 | 2004/873 (W.88)   |
| Sections 92-101, as to Wales (partially) | 1.4.2004 | 2004/873 (W.88)   |
| Section 102                              | 1.4.2004 | 2004/759          |
| Section 103                              | 1.4.2004 | 2004/759          |
| Section 105(1) and (6)                   | 1.8.2006 | 2006/1680         |
| Section 105(3) to (5) and (7)            | 1.8.2006 | 2006/1680         |
| Section 106                              | 1.4.2004 | 2004/759          |
| Section 107 as to Wales                  | 1.4.2006 | 2005/3285 (W.249) |
| Section 108                              | 1.4.2004 | 2004/759          |
| Section 109 as to Wales                  | 1.4.2004 | 2004/873 (W.88)   |
| Section 111                              | 1.4.2004 | 2004/759          |
| Section 114 as to Wales (partially)      | 1.4.2006 | 2005/3285 (W.249) |

|   |            |                      |
|---|------------|----------------------|
| Section 113(2),<br>(3) and (4)                          | 7.2.11     | 2011/212<br>(W.43)   |
| Section 115(1),<br>(2), (4), (5) and<br>(6) as to Wales | 1.4.2006   | 2005/3285<br>(W.249) |
| Section 115(3)  | 7.2.11     | 2011/212 (W.<br>43)  |
| Section 116(2)<br>and (3) as to<br>Wales                | 1.4.2006   | 2005/3285<br>(W.249) |
| Section 117 as to<br>Wales                              | 30.12.2005 | 2005/3285<br>(W.249) |
| Sections 118 and<br>119                                 | 1.6.2004   | 2004/759             |
| Section 120 and<br>121                                  | 1.4.2004   | 2004/759             |
| Section 123   | 1.4.2004   | 2004/759             |
| Section 124   | 1.4.2004   | 2004/759             |
| Section 126   | 1.4.2004   | 2004/759             |
| Section 128   | 1.4.2004   | 2004/759             |
| Section 130   | 1.4.2004   | 2004/759             |
| Section 132   | 1.4.2004   | 2004/759             |
| Section 134   | 1.4.2004   | 2004/759             |
| Section 136 to<br>138                                   | 1.4.2004   | 2004/759             |
| Section 140   | 1.4.2004   | 2004/759             |
| Sections 142 to<br>145 as to Wales                      | 1.4.2004   | 2004/873<br>(W.88)   |
| Section 146   | 1.4.2004   | 2004/759             |
| Section 147<br>(partially)                              | 8.1.2004   | 2003/3346            |

|   |           |                 |
|---|-----------|-----------------|
| Section 147 as to Wales (partially)               | 11.3.2004 | 2004/759        |
| Section 147 (partially)                           | 1.4.2004  | 2004/759        |
| Section 147 (partially)                           | 1.6.2004  | 2004/759        |
| Section 148                                       | 1.1.2004  | 2003/3346       |
| Section 150(1) to (7) and (10) to (14)            | 28.1.2007 | 2006/3397       |
| Sections 151 to 164                               | 29.1.2007 | 2006/3397       |
| Sections 166 to 168                               | 29.1.2007 | 2006/3397       |
| Section 169 (partially)                           | 29.1.2007 | 2006/3397       |
| Section 170 as to Wales (partially)               | 15.2.2006 | 2006/345 (W.42) |
| Section 170 as to Wales for remaining purposes    | 1.4.2006  | 2006/345 (W.42) |
| Section 171(1) as to Wales (partially)            | 15.2.2006 | 2006/345 (W.42) |
| Section 171(1) as to Wales for remaining purposes | 1.4.2006  | 2006/345 (W.42) |
| Section 171(2) as to Wales                        | 1.4.2006  | 2006/345 (W.42) |
| Section 172(1) as to Wales                        | 15.2.2006 | 2006/345 (W.42) |

|  |           |                 |
|--|-----------|-----------------|
| Section 172(2) as to Wales             | 1.4.2006  | 2006/345 (W.42) |
| Section 173 as to Wales                | 15.2.2006 | 2006/345 (W.42) |
| Section 174 as to Wales (partially)    | 28.2.2004 | 2004/480 (W.49) |
| Section 174 as to Wales (partially)    | 1.4.2004  | 2004/480 (W.49) |
| Section 175 as to Wales                | 28.2.2004 | 2004/480 (W.49) |
| Section 176 as to Wales                | 28.2.2004 | 2004/480 (W.49) |
| Section 177(1) to (11) as to Wales     | 15.2.2006 | 2006/345 (W.42) |
| Section 177 as to Wales (partially)    | 1.4.2006  | 2006/345 (W.42) |
| Section 177 for remaining Purposes     | 1.3.2007  | 2006/1407       |
| Section 178 as to Wales (partially)    | 1.4.2006  | 2006/345 (W.42) |
| Section 178 for remaining purposes     | 1.3.2007  | 2006/1407       |
| Section 179(1) as to Wales (partially) | 28.2.2004 | 2004/480 (W.49) |
| Section 179(1) as to Wales (partially) | 15.2.2006 | 2006/345 (W.42) |
| Section 179(2) as to Wales             | 28.2.2004 | 2004/480 (W.49) |
| Section 180 as to Wales (partially)    | 28.2.2004 | 2004/480 (W.49) |

|  |                         |                 |
|--|-------------------------|-----------------|
| Section 180 as to Wales for remaining purposes | 15.2.2006               | 2006/345 (W.42) |
| Section 181                                    | 1.4.2006                | 2005/2925       |
| Section 182(2) as to Wales                     | 15.2.2006               | 2006/345 (W.42) |
| Section 183 as to Wales (partially)            | 15.2.2006               | 2006/345 (W.42) |
| Section 183 as to Wales for remaining purposes | 1.4.2006                | 2006/345 (W.42) |
| Section 184 as to Wales (partially)            | 28.2.2004               | 2004/480 (W.49) |
| Section 184 as to Wales (partially)            | 1.4.2004                | 2004/480 (W.49) |
| Section 184 as to Wales (partially)            | 15.2.2006               | 2006/345 (W.42) |
| Section 184 as to Wales (partially)            | 1.4.2006                | 2005/2925       |
| Section 184 as to Wales (partially)            | 1.4.2006                | 2006/345 (W.42) |
| Section 185 (partially)                        | 12.8.2005 and 7.10.2005 | 2005/2278       |
| Section 185 for remaining purposes             | 27.10.2006              | 2006/2817       |
| Section 187                                    | 19.10.2004              | 2004/2626       |
| Section 188                                    | 19.10.2004              | 2004/2626       |
| Section 189(1)                                 | 1.4.2004                | 2004/759        |
| Section 190                                    | 1.4.2005                | 2005/457        |
| Section 196 as to Wales (partially)            | 1.4.2004                | 2004/480 (W.49) |
| Section 196 (partially)                        | 1.4.2004                | 2004/759        |

|  |            |                 |
|--|------------|-----------------|
| Section 196 as to Wales (partially)                  | 1.4.2004   | 2004/873 (W.88) |
| Section 196 (partially)                              | 1.4.2005   | 2005/457        |
| Section 196 as to Wales (partially)                  | 1.4.2006   | 2005/2925       |
| Section 196 (partially)                              | 7.10.2005  | 2005/2278       |
| Section 196 (partially)                              | 29.1.2007  | 2006/3397       |
| Section 196 (partially)                              | 27.10.2006 | 2006/2817       |
| Schedule 1   | 1.4.2004   | 2004/759        |
| Schedule 2   | 1.1.2004   | 2003/3346       |
| Schedules 3 to 5                                     | 1.4.2004   | 2004/759        |
| Schedule 6   | 8.1.2004   | 2003/3346       |
| Schedule 8   | 11.3.2004  | 2004/759        |
| Schedule 9   |            |                 |
| Paragraphs 1, 3, 5 to 8, 13 and 31 (partially)       | 8.1.2004   | 2003/3346       |
| Paragraphs 2, 14, 16 to 20, 22, 23(a), 25, 29 and 30 | 1.4.2004   | 2004/759        |
| Paragraphs 9 and 11                                  | 1.6.2004   | 2004/759        |
| Paragraph 12   | 1.4.2004   | 2004/759        |
| Paragraphs 16 and 23(b) (partially)                  | 11.3.2004  | 2004/759        |
| Schedule 10  | 29.1.2007  | 2006/3397       |
| Schedule 11 as to Wales (partially)                  | 1.4.2004   | 2004/480 (W.49) |



|  |            |                 |
|--|------------|-----------------|
| Schedule 11 as to Wales (partially)                        | 28.2.2004  | 2004/480 (W.49) |
| Schedule 11 as to Wales (partially)                        | 15.2.2006  | 2006/345 (W.42) |
| Schedule 11 as to Wales (partially)                        | 1.4.2006   | 2005/2925       |
| Schedule 11 as to Wales (partially)                        | 1.4.2006   | 2006/345 (W.42) |
| Schedule 11 (partially)                                    | 1.3.2007   | 2006/1407       |
| Schedule 12  | 19.10.04   | 2004/2626       |
| Schedule 14 as to Wales (partially)                        | 1.4.2004   | 2004/480 (W.49) |
| Schedule 14 Part 1   | 1.4.2004   | 2004/759        |
| Schedule 14 as to Wales (partially)                        | 15.2.2006  | 2006/345 (W.42) |
| Schedule 14 as to Wales (partially)                        | 1.4.2006   | 2005/2925       |
| Schedule 14 Part 3 (partially and with savings provisions) | 29.1.2007  | 2006/3397       |
| Schedule 14 Part 4 as to Wales (partially)                 | 1.4.2006   | 2006/345 (W.42) |
| Schedule 14 Part 4 (partially)                             | 27.10.2006 | 2006/2817       |
| Schedule 14 Part 4 (partially)                             | 1.3.2007   | 2006/1407       |

**2014 No. 1793 (W. 186) (C. 78)**

**SOCIAL CARE, WALES**

The Health and Social Care  
(Community Health and Standards)  
Act 2003 Commencement (Wales)  
(No. 6) Order 2014

*Made*

*7 July 2014*

The Welsh Ministers, in exercise of the power conferred by section 199(1) of the Health and Social Care (Community Health and Standards) Act 2003<sup>(1)</sup>, make the following Order:

**Title, interpretation and application**

**1.**—(1) The title of this Order is the Health and Social Care (Community Health and Standards) Act 2003 Commencement (Wales) (No. 6) Order 2014.

(2) In this Order, “the Act” (“*y Ddeddf*”) means the Health and Social Care (Community Health and Standards) Act 2003.

(3) This Order applies in relation to Wales.

**Appointed day**

**2.** 1 August 2014 is the appointed day for the coming into force of the repeal of section 7B of the Local Authority Social Services Act 1970<sup>(2)</sup> (complaints procedure) as provided for by the entry in Part 2 of Schedule 14 to the Act and section 196 of the Act in so far as it relates to that repeal.

---

(1) 2003 c.43. The functions of the National Assembly for Wales under this section have been transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

(2) 1970 c.42.

*Gwenda Thomas*

Deputy Minister for Children and Social Services, under authority of the Minister for Health and Social Services, one of the Welsh Ministers.

7 July 2014