WELSH STATUTORY INSTRUMENTS

2011 No. 986 (W.143) (C.39)

NATIONAL HEALTH SERVICE, ENGLAND AND WALES
SOCIAL CARE, ENGLAND AND WALES

The Health and Social Care Act 2008 (Commencement No.17) Order 2011

Made - - - - 28 March 2011

The Welsh Ministers make the following Order in exercise of the power conferred by section 170(3) of the Health and Social Care Act 2008(**1**).

Title and interpretation

1.—(1) The title of this Order is the Health and Social Care Act 2008 (Commencement No.17) Order 2011.

(2) In this Order, "the Act" ("*y Ddeddf*") means the Health and Social Care Act 2008.

Appointed days for provisions coming into force in relation to England and Wales

2.—(1) 29 March 2011 is the day appointed for the coming into force of subsection (8) of section 146 of the Act (direct payments in lieu of provision of care services).

(2) 1 August 2011 is the day appointed for the coming into force of section 144 of the Act (weighing and measuring children: Wales).

Appointed day for provisions coming into force in relation to Wales

3. 29 March 2011 is the day appointed for the coming into force of subsections (1) to (7) of section 146 of the Act (direct payments in lieu of provision of care services) in relation to Wales, in so far as they are not already in force.

(**1**) 2008 c. 14. *See* section 171(4) of that Act for the definition of 'appropriate authority'

Edwina Hart
Minister for Health and Social Services, one of the Welsh Ministers

28 March 2011

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force—

section 144 of the Health and Social Care Act 2008 ("the Act") which provides for the insertion of new paragraphs 7A and 7B into Schedule 1 of the National Health Service (Wales) Act 2006. These new paragraphs make provision about weighing and measuring children in Wales;

subsection (8) of section 146 of the Act, which inserts subsection (4A) into section 64 of the Health and Social Care Act 2001 ("the 2001 Act"). This new subsection makes provision for the making of regulations by the Welsh Ministers under section 57 of the 2001 Act.

It also brings into force in relation to Wales—

subsections (1) to (7) of section 146 of the Act in so far as they are not already in force. These subsections make provision relating to direct payments in lieu of the provision of care services.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Health and Social Care Act 2008 have been brought into force in relation to England and Wales by a commencement orders made before the date of this Order.

Provision	*Date of Commencement*	*S.I.No.*
Section 1(1)	1 October 2008	2008/2497 (C. 106)
Section 1(2)	1 April 2009	2009/462 (C. 31)
Section 1(3) (partially)	1 October 2008	2008/2497 (C. 106)
Section 1(3) (fully)	1 April 2009	2009/462 (C. 31)
Section 2(1)	1 October 2008	2008/2497 (C. 106)
Section 2(2)(a) (partially)	12 January 2009	2008/3168 (C. 143)
Section 2(2)(a) (fully)	6 April 2010	2010/807 (C.53)
Section 2(2)(b) and (c)	1 April 2009	2009/462 (C. 31)
Sections 3 to 7	1 October 2008	2008/2497 (C. 106)
Section 8 (partially)	12 January 2009	2008/3168 (C. 143)
Section 8 (fully)	6 April 2010	2010/807 (C.53)
Section 9	1 October 2008	2008/2497 (C. 106)
Section 10(3)	12 January 2009	2008/3168 (C. 143)
Section 10 (fully)	1 April 2009	2009/462 (C. 31)
Section 11 (partially)	12 January 2009	2008/3168 (C. 143)
Section 12(1) to (5) (partially)	12 January 2009	2008/3168 (C. 143)

Provision	*Date of Commencement*	*S.I.No.*
Section 12(6)	6 April 2010	2010/807 (C.53)
Sections 13 to 15	6 April 2010	2010/807 (C.53)
Section 16 (partially)	1 April 2009	2009/462 (C. 31)
Section 16 (fully)	11 December 2009	2009/3023 (C. 130)
Section 17(1), (3) and (4)	1 April 2009	2009/462 (C. 31)
Section 17 (fully)	1 October 2010	2010/807 (C.53)
Sections 18 and 19 (partially)	1 April 2009	2009/462 (C. 31)
Sections 18 and 19 (fully)	1 October 2010	2010/807 (C.53)
Section 20 (partially)	12 January 2009	2008/3168 (C. 143)
Section 20 (fully)	6 April 2010	2010/807 (C.53)
Sections 21 and 22 (partially)	12 January 2009	2008/3168 (C. 143)
Sections 23 and 24	11 December 2009	2009/3023 (C. 130)
Section 25 (partially)	12 January 2009	2008/3168 (C. 143)
Section 25 (fully)	11 December 2009	2009/3023 (C. 130)
Section 26(1), (3) and (6) (partially)	12 January 2009	2008/3168 (C. 143)
Section 26(4) and (5)	1 April 2009	2009/462 (C. 31)
Section 26 (fully)	6 April 2010	2010/807 (C.53)
Section 27 (partially)	12 January 2009	2008/3168 (C. 143)
Section 27 (fully)	6 April 2010	2010/807 (C.53)
Section 28(1) to (4)(a) (partially)	12 January 2009	2008/3168 (C. 143)
Section 28(4)(c) and (d) (partially)	1 April 2009	2009/462 (C. 31)
Section 28(1) to (4)(fully)	6 April 2010	2010/807 (C.53)
Section 28(5) to (7)	6 April 2010	2010/807 (C.53)
Sections 29 to 31 (partially)	1 April 2009	2009/462 (C. 31)
Sections 29 to 31 (fully)	1 October 2010	2010/807 (C.53)
Section 32 (partially)	12 January 2009	2008/3168 (C. 143)
Section 33 (partially)	1 April 2009	2009/462 (C. 31)
Section 33 (fully)	1 October 2010	2010/807 (C.53)
Section 34(1) and (5)	1 April 2009	2009/462 (C. 31)
Section 34(2) to (4) and 34(5) (fully)	1 October 2010	2010/807 (C.53)
Section 35	12 January 2009	2008/3168 (C. 143)
Section 36	1 April 2009	2009/462 (C. 31)

Provision	*Date of Commencement*	*S.I.No.*
Section 37 partially)	12 January 2009	2008/3168 (C. 143)
Sections 32 and 37 (fully)	6 April 2010	2010/807 (C.53)
Sections 38 and 39 (partially)	1 April 2009	2009/462 (C. 31)
Sections 38 and 39(fully)	1 October 2010	2010/807 (C.53)
Section 40	1 April 2009	2009/462 (C. 31)
Sections 41 and 42	11 December 2009	2009/3023 (C. 130)
Section 43	6 April 2010	2010/807 (C.53)
Section 44 (partially)	12 January 2009	2008/3168 (C. 143)
Section 44 (fully)	6 April 2010	2010/807 (C.53)
Section 45	1 April 2010	2010/708 (C. 46)
Section 46(4) to (8)	1 October 2008	2008/2497 (C. 106)
Section 46 (fully)	1 April 2009	2009/462 (C. 31)
Section 47	1 October 2008	2008/2497 (C. 106)
Section 48	1 April 2009	2009/462 (C. 31)
Section 49 (fully)	11 December 2009	2009/3023 (C. 130)
Section 50	1 April 2009	2009/462 (C. 31)
Section 51 (partially)	1 April 2009	2009/462 (C. 31)
Section 51 (fully)	11 December 2009	2009/3023 (C. 130)
Sections 52 to 59	1 April 2009	2009/462 (C. 31)
Sections 60 to 65 (partially)	12 January 2009	2008/3168 (C. 143)
Section 60 to 65 (fully)	6 April 2010	2010/807 (C.53)
Section 66 (partially)	1 October 2008	2008/2497 (C. 106)
Section 66 (partially)	1 April 2009	2009/462 (C. 31)
Section 66 (fully)	1 October 2010	2010/807 (C.53)
Sections 67 to 71	1 April 2009	2009/462 (C. 31)
Section 72 (partially)	1 April 2009	2009/462 (C. 31)
Section 72 (fully)	11 December 2009	2009/3023 (C. 130)
Sections 73 to 75	1 April 2009	2009/462 (C. 31)
Sections 76 to 83	1 October 2008	2008/2497 (C. 106)
Section 84	1 April 2009	2009/462 (C. 31)
Section 85	1 October 2008	2008/2497 (C. 106)
Sections 86 and 87	1 April 2009	2009/462 (C. 31)
Section 88	1 October 2008	2008/2497 (C. 106)
Section 89	1 April 2009	2009/462 (C. 31)