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).

(**1**) 2014 c.23.

Signed by authority of the Secretary of State for Health.

Alistair Burt
Minister of State,
Department of Health

24th March 2016

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.

Provision	*Date of Commencement Order*	*S.I. No.*
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