
STATUTORY INSTRUMENTS

2015 No. 409 (C. 23)

**HEALTH CARE AND
ASSOCIATED PROFESSIONS
NATIONAL HEALTH SERVICE, ENGLAND**

The Health and Social Care Act 2012
(Commencement No. 9) Order 2015

Made - - - - 26th February 2015

The Secretary of State for Health makes the following Order in exercise of the powers conferred by section 306 of the Health and Social Care Act 2012⁽¹⁾.

Citation

1. This Order may be cited as the Health and Social Care Act 2012 (Commencement No. 9) Order 2015.

Commencement of provisions

2. Insofar as they are not already in force⁽²⁾, the day appointed for the coming into force of sections 224 and 225 of the Health and Social Care Act 2012 is 16th March 2015.

⁽¹⁾ 2012 c. 7.

⁽²⁾ See section 306(1) of the Health and Social Care Act 2012 (c. 7) (“the Act”) for the provisions which came into force on the day the Act was passed, and S.I. 2012/1319 (C. 47), 2012/1831 (C. 71), 2012/2657 (C. 107), 2013/160 (C. 9), 2013/671 (C. 28), 2013/2896 (C. 117), 2014/39 (C. 2) and 2014/1454 (C. 57) for provisions of the Act which came into force by Order on earlier dates.

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Signed by authority of the Secretary of State for Health.

26th February 2015

Norman Lamb
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force sections 224 and 225 of the Health and Social Care Act 2012 (c.7) (“the Act”). It is the ninth such Order to be made under the Act.

Article 2 brings into force the following provisions of sections 224 and 225 of the Act—

- (a) Section 224(1), which inserts a new section 25A into the National Health Service Reform and Health Care Professions Act 2002 (c. 17) (“the 2002 Act”) to require the Privy Council to impose on the regulatory bodies overseen by the Professional Standards Authority for Health and Social Care (“the Authority”) such periodic fees as the Privy Council determines in accordance with that section;
- (b) Section 224(2), which amends the definition of “group of sections” in section 25(5) of the 2002 Act to reflect the insertion of the new section 25A;
- (c) Section 224(3), which inserts new provisions into section 38 of the 2002 Act subjecting regulations made by the Privy Council under section 25A to parliamentary control under the negative resolution procedure in the Westminster Parliament and, where they contain matters which fall within the legislative competence of the Scottish Parliament, the Scottish Parliament;
- (d) Section 224(4), which amends paragraph 14 of Schedule 7 to the 2002 Act, enabling the Authority to borrow money in connection with its functions;
- (e) Section 225(1), which inserts a new section 25B into the 2002 Act, giving the Authority the power to provide advice or auditing services to regulatory bodies and requiring payment by them of such fee as the Authority may determine;
- (f) Section 225(2), which confers on the Privy Council the power vested in the Secretary of State under section 28(1) of the 2002 Act to make regulations about investigations by the Authority of complaints made to it; and
- (g) Section 225(3), which modifies section 38(2) of the 2002 Act with the effect that any regulations made under section 28 of the 2002 Act may be subject to annulment by way of a resolution of either House of Parliament.

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. A full Impact Assessment has been produced in relation to the provisions of the Act, including provisions that are commenced by this Order, and a copy is available at <https://www.gov.uk/government/publications/health-and-social-care-bill-2011-combined-impact-assessments>.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Health and Social Care Act 2012 have been brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1st October 2012	S.I. 2012/1831

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (remainder)	1st April 2013	S.I. 2013/160
Sections 2 to 7	1st April 2013	S.I. 2013/160
Section 8	1st June 2012	S.I. 2012/1319
Section 9 (partially)	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Section 9 (remainder)	1st April 2013	S.I. 2013/160
Section 10 (partially)	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Section 10 (remainder)	1st April 2013	S.I. 2013/160
Sections 11 and 12	1st April 2013	S.I. 2013/160
Section 13 (partially)	1st February 2013	S.I. 2012/2657
Section 13 (remainder)	1st April 2013	S.I. 2013/160
Section 14 (partially)	1st February 2013	S.I. 2012/2657
Section 14 (remainder)	1st April 2013	S.I. 2013/160
Section 15	1st February 2013	S.I. 2012/2657
Section 16	1st April 2013	S.I. 2013/160
Section 17 (partially)	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Section 17 (remainder)	1st April 2013	S.I. 2013/160
Sections 18 and 19	1st April 2013	S.I. 2013/160
Section 20	1st February 2013	S.I. 2012/2657
Section 21	1st October 2012	S.I. 2012/1831
Section 22 (partially)	1st October 2012	S.I. 2012/1831
Section 22 (remainder)	1st April 2013	S.I. 2013/160
Section 23 (partially)	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Section 23 (remainder)	1st April 2013	S.I. 2013/160
Section 24 (partially)	1st October 2012	S.I. 2012/1831
Section 24 (remainder)	1st April 2013	S.I. 2013/160
Section 25 (partially)	1st October 2012	S.I. 2012/1831
Section 25 (remainder)	1st April 2013	S.I. 2013/160
Section 26 (partially)	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Section 26 (remainder)	1st April 2013	S.I. 2013/160

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 27 (partially)	1st October 2012	S.I. 2012/1831
Section 27 (remainder)	1st April 2013	S.I. 2013/160
Section 28	1st April 2013	S.I. 2013/160
Sections 29 to 34	1st April 2013	S.I. 2013/160
Section 35 (partially), in relation to England only	1st April 2013	S.I. 2013/160
Section 36, in relation to England only	1st April 2013	S.I. 2013/160
Section 37, in relation to England only	1st April 2013	S.I. 2013/160
Section 38	1st April 2013	S.I. 2013/160
Section 39	1st July 2012	S.I. 2012/1319
Section 40 (partially)	1st February 2013	S.I. 2012/2657
Section 40 (remainder)	1st April 2013	S.I. 2013/160
Section 41	1st April 2013	S.I. 2013/160
Section 42	1st July 2012	S.I. 2012/1319
Section 43	1st April 2013	S.I. 2013/160
Section 44	1st July 2012	S.I. 2012/1319
Sections 45 to 54	1st April 2013	S.I. 2013/160
Section 55 (partially)	1st July 2012	S.I. 2012/1319
	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
Sections 56 to 58	1st April 2013	S.I. 2013/160
Section 59	1st July 2012	S.I. 2012/1319
Section 60	1st April 2013	S.I. 2013/160
Section 61 (partially)	1st July 2012	S.I. 2012/1319
Section 61 (remainder)	1st November 2012	S.I. 2012/2657
Section 62 (partially)	1st November 2012	S.I. 2012/2657
Section 62 (remainder)	1st April 2013	S.I. 2013/160
Section 63	1st November 2012	S.I. 2012/2657
Section 64 (partially)	1st June 2012	S.I. 2012/1319
	1st July 2012	S.I. 2012/1319
Section 64 (remainder)	1st November 2012	S.I. 2012/2657
Section 66 (partially)	1st November 2012	S.I. 2012/2657
Section 66 (remainder)	1st April 2013	S.I. 2013/671
Section 67 (partially)	1st November 2012	S.I. 2012/2657

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 67 (remainder)	1st April 2013	S.I. 2013/671
Section 68 (partially)	1st November 2012	S.I. 2012/2657
Section 68 (remainder)	1st April 2013	S.I. 2013/671
Section 69	1st April 2013	S.I. 2013/671
Section 70	1st November 2012	S.I. 2012/2657
Section 71	1st November 2012	S.I. 2012/2657
Sections 72 and 73	1st April 2013	S.I. 2013/160
Section 74 (partially)	1st April 2013	S.I. 2013/160
Section 74 (remainder)	1st April 2013	S.I. 2013/671
Sections 75 to 77	1st April 2013	S.I. 2013/160
Section 78	1st February 2013	S.I. 2012/2657
Section 79	1st July 2012	S.I. 2012/1319
Section 80	1st April 2013	S.I. 2013/160
Section 81 (partially)	1st April 2013	S.I. 2013/671
Section 81 (remainder)	1st April 2014	S.I. 2014/39
Section 82	1st April 2013	S.I. 2013/671
Sections 83 and 84	1st April 2014	S.I. 2014/39
Sections 85 to 87 (partially)	1st April 2013	S.I. 2013/671
Section 85 (remainder)	1st January 2014	S.I. 2013/2896
Section 86 (remainder)	1st January 2014	S.I. 2013/2896
Section 87 (remainder)	1st April 2014	S.I. 2014/39
Sections 88 and 89	1st April 2013	S.I. 2013/671
Sections 90 to 92 (partially)	1st April 2013	S.I. 2013/671
Sections 90 to 92 (remainder)	1st April 2014	S.I. 2014/39
Section 93	1st April 2013	S.I. 2013/671
Section 94 (partially)	1st November 2012	S.I. 2012/2657
Section 94 (remainder)	1st April 2013	S.I. 2013/671
Section 95 (partially)	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/671
Section 95 (remainder)	1st July 2013	S.I. 2013/671
Section 96 (partially)	1st November 2012	S.I. 2012/2657
	1st July 2013	S.I. 2013/671
Section 96 (remainder)	1st April 2014	S.I. 2014/39
Section 97 (partially)	1st November 2012	S.I. 2012/2657

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 97 (remainder)	1st April 2013	S.I. 2013/671
Section 98 (partially)	1st November 2012	S.I. 2012/2657
Section 98 (remainder)	1st April 2013	S.I. 2013/671
Section 99	1st April 2013	S.I. 2013/671
Section 100	1st July 2013	S.I. 2013/671
Section 101 (partially)	1st November 2012	S.I. 2012/2657
Section 101 (remainder)	1st July 2013	S.I. 2013/671
Section 102	1st April 2013	S.I. 2013/671
Section 103 (partially)	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/671
Section 103 (remainder)	1st July 2013	S.I. 2013/671
Section 104 (partially)	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
	1st April 2013	S.I. 2013/671
	1st December 2013	S.I. 2013/2896
	1st April 2014	S.I. 2014/39
Section 105 (partially)	1st April 2013	S.I. 2013/671
	1st July 2013	S.I. 2013/671
Section 105 (remainder)	1st April 2014	S.I. 2014/39
Section 106 (partially)	1st April 2013	S.I. 2013/671
Section 106 (remainder)	1st April 2014	S.I. 2014/39
Section 107 (partially)	1st April 2013	S.I. 2013/671
Section 107 (remainder)	1st July 2013	S.I. 2013/671
Section 108 (partially)	1st November 2012	S.I. 2012/2657
Section 108 (remainder)	1st April 2013	S.I. 2013/671
Sections 109 to 114	1st April 2013	S.I. 2013/671
Section 115	1st April 2014	S.I. 2014/39
Section 116 (partially)	1st April 2013	S.I. 2013/160
Section 116 (remainder)	1st December 2013	S.I. 2013/2896
Section 117 (partially)	1st April 2013	S.I. 2013/160
	1st December 2013	S.I. 2013/2896
	1st April 2014	S.I. 2014/39
Section 118 (partially)	1st April 2013	S.I. 2013/160
Section 118 (remainder)	1st April 2014	S.I. 2014/39

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Section 119 (partially)	1st April 2013	S.I. 2013/160
Section 119 (remainder)	1st April 2014	S.I. 2014/39
Sections 120 to 123 (partially)	1st September 2013	S.I. 2013/671
Sections 120 to 123 (remainder)	1st April 2014	S.I. 2014/39
Sections 124 to 126	1st March 2014	S.I. 2014/39
Section 127	1st December 2013	S.I. 2013/2896
Section 144 (partially)	1st November 2012	S.I. 2012/2657
Section 147 (partially)	1st October 2012	S.I. 2012/1831
Section 147 (remainder)	1st April 2013	S.I. 2013/160
Section 148 (partially)	1st November 2012	S.I. 2012/2657
Section 148 (remainder)	1st April 2013	S.I. 2013/671
Section 149	1st November 2012	S.I. 2012/2657
Section 150 (partially)	1st July 2012	S.I. 2012/1319
	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
Section 151 (partially)	1st October 2012	S.I. 2012/1831
	1st April 2013	S.I. 2013/160
Sections 152 and 153	1st April 2013	S.I. 2013/160
Section 154	1st October 2012	S.I. 2012/1831
Section 156 (partially)	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/671
Section 157	1st April 2013	S.I. 2013/160
Section 158	1st October 2012	S.I. 2012/1831
Section 159 (partially)	1st April 2013	S.I. 2013/671
Section 160	1st July 2012	S.I. 2012/1319
Sections 161 and 162	1st April 2013	S.I. 2013/160
Section 163 (partially)	1st April 2013	S.I. 2013/160
	1st April 2013	S.I. 2013/671
Section 164 (partially)	1st October 2012	S.I. 2012/1831
Section 164 (remainder)	1st April 2013	S.I. 2013/671
Section 165	1st October 2012	S.I. 2012/1831
Section 166	1st November 2012	S.I. 2012/2657
Section 167	1st April 2013	S.I. 2013/160
Sections 168 to 172	1st April 2013	S.I. 2013/671

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Section 173 (partially)	1st November 2012	S.I. 2012/2657
Section 173 (remainder)	1st April 2013	S.I. 2013/671
Sections 174 to 178	1st November 2012	S.I. 2012/2657
Section 181 (partially)	1st October 2012	S.I. 2012/1831
Section 181 (remainder)	1st April 2013	S.I. 2013/160
Sections 182 to 189	1st April 2013	S.I. 2013/160
Section 190(1) to (8) and (10)	1st April 2013	S.I. 2013/160
Sections 191 to 200	1st April 2013	S.I. 2013/160
Section 201	1st July 2012	S.I. 2012/1319
Sections 202 to 206	1st April 2013	S.I. 2013/160
Section 207 (partially)	1st July 2012	S.I. 2012/1319
Section 207 (remainder)	1st April 2013	S.I. 2013/160
Sections 209 to 211	1st August 2012	S.I. 2012/1319
Section 212 (partially)	1st August 2012	S.I. 2012/1319
Section 212 (remainder)	1st October 2012	S.I. 2012/1831
Sections 213 to 218	1st August 2012	S.I. 2012/1319
Sections 220 and 221	1st August 2012	S.I. 2012/1319
Section 222	1st December 2012	S.I. 2012/2657
Section 223 (partially)	1st August 2012	S.I. 2012/1319
	1st October 2012	S.I. 2012/1831
Section 226 (partially)	1st December 2012	S.I. 2012/2657
	9th June 2014	S.I. 2014/1454
Section 227	1st July 2012	S.I. 2012/1319
Sections 228 and 229	1st December 2012	S.I. 2012/2657
Section 230 (partially)	1st August 2012	S.I. 2012/1319
Section 230 (remainder)	1st December 2012	S.I. 2012/2657
Section 231	1st July 2012	S.I. 2012/1319
Sections 232 to 277	1st April 2013	S.I. 2013/160
Section 278	1st July 2012	S.I. 2012/1319
Section 279	31st October 2012	S.I. 2012/1831
Section 280	1st April 2013	S.I. 2013/160
Section 281	1st October 2012	S.I. 2012/1831
Section 282	1st April 2013	S.I. 2013/160
Section 283	1st July 2012	S.I. 2012/1319

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Sections 284 to 287	1st April 2013	S.I. 2013/160
Section 288 (partially)	1st July 2012	S.I. 2012/1319
	1st April 2013	S.I. 2013/160
Section 288 (remainder)	1st April 2014	S.I. 2014/39
Section 289 (partially)	1st July 2012	S.I. 2012/1319
	1st April 2013	S.I. 2013/671
	1st April 2014	S.I. 2014/39
Section 290 (partially)	1st October 2012	S.I. 2012/1831
Section 290 (remainder)	1st April 2013	S.I. 2013/160
Section 291	1st October 2012	S.I. 2012/1831
Sections 292 and 293	1st April 2013	S.I. 2013/160
Section 294	1st October 2012	S.I. 2012/1831
Sections 295 and 296 (partially)	1st October 2012	S.I. 2012/1831
Sections 295 and 296 (remainder)	1st April 2013	S.I. 2013/160
Section 297 (partially)	1st February 2013	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
Section 298	1st October 2012	S.I. 2012/1831
Section 299	1st June 2012	S.I. 2012/1319
Sections 300 to 302 (partially)	1st July 2012	S.I. 2012/1319
	1st October 2012	S.I. 2012/1831
Sections 300 to 302 (remainder)	1st April 2013	S.I. 2013/160
Schedule 1 (partially)	1st October 2012	S.I. 2012/1831
Schedule 1 (remainder)	1st April 2013	S.I. 2013/160
Schedule 2 (partially)	1st October 2012	S.I. 2012/1831
Schedule 2 (remainder)	1st April 2013	S.I. 2013/160
Schedule 3	1st April 2013	S.I. 2013/160
Schedule 4 (partially)	1st July 2012	S.I. 2012/1319
	1st October 2012	S.I. 2012/1831
	1st February 2013	S.I. 2012/2657
Schedule 4 (remainder)	1st April 2013	S.I. 2013/160
Schedule 5 (partially)	1st October 2012	S.I. 2012/1831
	1st April 2013	S.I. 2013/160
Schedule 6 (partially)	1st July 2012	S.I. 2012/1319
Schedule 6 (remainder)	1st October 2012	S.I. 2012/1831

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 7	1st April 2013	S.I. 2013/160
Schedule 8	1st November 2012	S.I. 2012/2657
Schedule 9	1st April 2013	S.I. 2013/160
Schedule 10	1st November 2012	S.I. 2012/2657
Schedule 11 (partially)	1st April 2013	S.I. 2013/671
Schedule 11 (remainder)	1st July 2013	S.I. 2013/671
Schedule 12 (partially)	1st September 2013	S.I. 2013/671
Schedule 12 (remainder)	1st April 2014	S.I. 2014/39
Schedule 13 (partially)	1st July 2012	S.I. 2012/1319
	1st November 2012	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
Schedule 15 (partially)	1st July 2012	S.I. 2012/1319
	1st August 2012	S.I. 2012/1319
Schedule 15 (remainder)	1st December 2012	S.I. 2012/2657
Schedules 16, 17, 18 and 19	1st April 2013	S.I. 2013/160
Schedule 20, Part 1	1st July 2012	S.I. 2012/1319
Schedule 20, Part 2	31st October 2012	S.I. 2012/1831
Schedule 20, Part 3	1st April 2013	S.I. 2013/160
Schedule 21 (partially)	1st February 2013	S.I. 2012/2657
	1st April 2013	S.I. 2013/160
Schedules 22 and 23 (partially)	1st July 2012	S.I. 2012/1319
	1st October 2012	S.I. 2012/1831
Schedules 22 and 23 (remainder)	1st April 2013	S.I. 2013/160