

**Changes to legislation:** Health and Social Care Act 2012, PART 1 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 15

#### PART 7: CONSEQUENTIAL AMENDMENTS AND SAVINGS

##### PART 1

#### ABOLITION OF THE GENERAL SOCIAL CARE COUNCIL

##### *Amendments to the Care Standards Act 2000 (c. 14)*

1 The Care Standards Act 2000 is amended as follows.

##### Commencement Information

**I1** Sch. 15 para. 1 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

2 In section 55(3)(g) (power to treat persons on certain social work courses as social care workers)—

- (a) for “a Council” substitute “the Welsh Council”, and
- (b) after “section 63” insert “, or by the Health and Care Professions Council under article 15 of the Health and Social Work Professions Order 2001,”.

##### Commencement Information

**I2** Sch. 15 para. 2 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

3 In section 56 (register of social care workers etc.)—

- (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
- (b) in subsection (4), for “the Council” substitute “the Welsh Council”.

##### Commencement Information

**I3** Sch. 15 para. 3 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

4 In section 57 (applications for registration), in subsection (1), for “a Council” substitute “the Welsh Council”.

##### Commencement Information

**I4** Sch. 15 para. 4 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

5 In section 58 (grant or refusal of registration), in subsection (1) for “the Council” substitute “the Welsh Council”.

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**Commencement Information**

**I5** Sch. 15 para. 5 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 6 In section 58A (visiting social workers from relevant European States)—
- (a) in subsections (3) and (7), for “a Council” substitute “the Welsh Council”, and
  - (b) in subsection (6), for “a Council, that” substitute “the Welsh Council, the”.

**Commencement Information**

**I6** Sch. 15 para. 6 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 7 In section 59 (removal etc. from register), in subsection (1), for “Each Council” substitute “The Welsh Council”.

**Commencement Information**

**I7** Sch. 15 para. 7 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 8 In section 60 (rules about registration), for “A Council” substitute “The Welsh Council”.

**Commencement Information**

**I8** Sch. 15 para. 8 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 9 In section 61 (offence relating to use of title “social worker” etc.)—
- (a) in subsection (1), after “a person” insert “in Wales”,
  - (b) in subsection (2)(a), for “a Council” substitute “the Welsh Council”, and
  - (c) in subsection (2)(b), after “the law of” insert “England and Wales so far as applying in relation to England,”.

**Commencement Information**

**I9** Sch. 15 para. 9 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 10 In section 62 (codes of practice)—
- (a) in subsection (1), for “Each Council” substitute “The Welsh Council”,
  - (b) in subsections (3), (4) and (6), for “a Council” substitute “the Council”, and
  - (c) in subsection (5), after “Local authorities” insert “in Wales”.

**Commencement Information**

**I10** Sch. 15 para. 10 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 11 In section 63 (approval of courses etc.)—
- (a) in subsection (1), for “Each Council” substitute “The Welsh Council”, and
  - (b) in subsection (4), for “A Council” substitute “The Council”.

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**I11** Sch. 15 para. 11 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 12 In section 64 (qualifications gained outside Council's area)—
- (a) in subsection (A1), for “a Council” substitute “the Welsh Council”,
  - (b) omit subsection (1), and
  - (c) for the title substitute “Qualifications gained outside the Welsh Council's area”.

**Commencement Information**

**I12** Sch. 15 para. 12 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 13 In section 65(1) (power to make rules requiring registered persons to undertake further training), for “A Council” substitute “The Welsh Council”.

**Commencement Information**

**I13** Sch. 15 para. 13 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 14 In section 66 (visitors for certain social work courses)—
- (a) in subsection (1), for “A Council” substitute “The Welsh Council”, and
  - (b) in subsection (3), for “a Council” substitute “the Council”.

**Commencement Information**

**I14** Sch. 15 para. 14 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 15 In section 67 (functions of the appropriate Minister)—
- (a) in subsection (2), for “a Council” substitute “the Welsh Council”, and
  - (b) in subsection (5), omit paragraph (a) (and the “or” following it).

**Commencement Information**

**I15** Sch. 15 para. 15 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 16 In section 68 (appeals to the Tribunal), in subsections (1) and (1A), for “a Council” substitute “the Welsh Council”.

**Commencement Information**

**I16** Sch. 15 para. 16 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 17 In section 69 (publication etc. of register), in subsection (1), for “A Council” substitute “The Welsh Council”.

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**I17** Sch. 15 para. 17 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 18 Omit section 70 (abolition of the Central Council for Education and Training in Social Work).

**Commencement Information**

**I18** Sch. 15 para. 18 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 19 In section 71 (rules), in subsections (1), (2), (3A) and (4), for “a Council” substitute “the Welsh Council”.

**Commencement Information**

**I19** Sch. 15 para. 19 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 20 In section 113 (default Ministerial powers), omit subsection (1).

**Commencement Information**

**I20** Sch. 15 para. 20 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 21 In section 114 (schemes for the transfer of staff), in subsection (1), omit “, 70”.

**Commencement Information**

**I21** Sch. 15 para. 21 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 22 In section 118 (orders and regulations), in subsection (4), omit the words from “; and” to the end.

**Commencement Information**

**I22** Sch. 15 para. 22 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 23 In section 121 (13) (index of defined expressions)—
- (a) omit the entry for “CCETSW”,
  - (b) omit the entry for references to the Council, the English Council and the Welsh Council, and
  - (c) at the end insert—

“the Welsh Council

Section 54”.

**Commencement Information**

**I23** Sch. 15 para. 23 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

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24 In section 122 (commencement), omit “section 70(2) to (5) and”.

**Commencement Information**

**I24** Sch. 15 para. 24 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

25 In section 123 (extent), omit subsection (3).

**Commencement Information**

**I25** Sch. 15 para. 25 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

26 Schedule 1 (the Care Councils) is amended as follows.

**Commencement Information**

**I26** Sch. 15 para. 26 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

27 Omit paragraph 1 (introductory).

**Commencement Information**

**I27** Sch. 15 para. 27 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

28 In paragraph 2 (status)—  
(a) for “An authority” substitute “The Welsh Council”, and  
(b) for “an authority's” substitute “the Council's”.

**Commencement Information**

**I28** Sch. 15 para. 28 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

29 In paragraph 3(1) (general powers), for “the Secretary of State, an authority” substitute “the Welsh Ministers, the Welsh Council”.

**Commencement Information**

**I29** Sch. 15 para. 29 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

30 In paragraph 4 (general duty), for “an authority” substitute “the Welsh Council”.

**Commencement Information**

**I30** Sch. 15 para. 30 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

31 For paragraph 5 (membership)—  
(a) for “Each authority” substitute “The Welsh Council”, and  
(b) for “the Secretary of State” substitute “the Welsh Ministers”.

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**Commencement Information**

**I31** Sch. 15 para. 31 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 32 In paragraph 6 (appointment, procedure etc.)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
  - (b) in paragraph (a), for “an authority” substitute “the Welsh Council”,
  - (c) in paragraphs (b), (c) and (d), (in the case of paragraph (d), in each place it appears) for “an authority” substitute “the Council”, and
  - (d) in paragraph (c), for “the authority” substitute “the Council”.

**Commencement Information**

**I32** Sch. 15 para. 32 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 33 (1) Paragraph 7 (remuneration and allowances) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”,
  - (b) for “the authority”, in each place it appears, substitute “the Council”, and
  - (c) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “the Secretary of State so determines” substitute “the Welsh Ministers so determine”,
  - (b) for “an authority”, in each place it appears, substitute “the Council”, and
  - (c) for “the Secretary of State” substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3)—
- (a) for “the Secretary of State determines” substitute “the Welsh Ministers determine”,
  - (b) for “an authority” substitute “the Council”,
  - (c) for “the authority” substitute “the Council”, and
  - (d) for “the Secretary of State” substitute “the Welsh Ministers”.

**Commencement Information**

**I33** Sch. 15 para. 33 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 34 (1) Paragraph 8 (chief officer) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “each authority” substitute “the Welsh Council”, and
  - (b) for “the authority”, in each place it appears, substitute “the Council”.
- (3) In sub-paragraph (2), for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3), for “the authority” substitute “the Council”.
- (5) In sub-paragraph (4), for “the Secretary of State” substitute “the Welsh Ministers”.

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**Commencement Information**

**I34** Sch. 15 para. 34 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 35 (1) Paragraph 12 (staff) is amended as follows.
- (2) In sub-paragraph (1), for “An authority” substitute “The Welsh Council”.
- (3) In sub-paragraph (2)—
- (a) for “an authority” substitute “the Council”, and
  - (b) for “the authority” substitute “the Council”.
- (4) In sub-paragraph (3), for “an authority” substitute “the Council”.
- (5) In sub-paragraph (4)—
- (a) for “Secretary of State” substitute “Welsh Ministers”,
  - (b) in paragraph (a), for “an authority” substitute “the Council”, and
  - (c) in paragraph (c), for “the authority” substitute “the Council”.

**Commencement Information**

**I35** Sch. 15 para. 35 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 36 (1) Paragraph 13 (delegation of functions) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”, and
  - (b) for “the authority” substitute “the Council”.
- (3) In sub-paragraph (2)—
- (a) for “An authority” substitute “The Council”, and
  - (b) for “the authority” substitute “the Council”.

**Commencement Information**

**I36** Sch. 15 para. 36 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 37 In paragraph 14 (arrangements for the use of staff)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
  - (b) in paragraph (a), for “an authority” substitute “the Welsh Council”, and
  - (c) in paragraph (b), for “an authority” substitute “the Council”, and for “the authority” substitute “the Council”.

**Commencement Information**

**I37** Sch. 15 para. 37 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 38 In paragraph 16 (payments to authorities)—
- (a) for “The Secretary of State” substitute “The Welsh Ministers”,
  - (b) for “an authority” substitute “the Welsh Council”, and
  - (c) for “he considers” substitute “they consider”.

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**I38** Sch. 15 para. 38 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 39 (1) Paragraph 18 (accounts) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “An authority” substitute “The Welsh Council”, and
  - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “An authority” substitute “The Council”, and
  - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (4) In sub-paragraph (3)—
- (a) for “An authority” substitute “The Council”,
  - (b) for “the Secretary of State”, in each place it appears, substitute “the Welsh Ministers”, and
  - (c) for “the Comptroller and Auditor General” substitute “the Auditor General for Wales”.
- (5) In sub-paragraph (4)—
- (a) for “The Comptroller and Auditor General” substitute “The Auditor General for Wales”, and
  - (b) for “Parliament” substitute “the Assembly”.
- (6) In sub-paragraph (5)—
- (a) for “an authority” substitute “the Council”, and
  - (b) in paragraph (a), for “the authority” substitute “the Council”.

**Commencement Information**

**I39** Sch. 15 para. 39 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 40 (1) Paragraph 19 (reports etc.) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “an authority” substitute “the Welsh Council”, and
  - (b) for “the Secretary of State” substitute “the Welsh Ministers”.
- (3) In sub-paragraph (2)—
- (a) for “An Authority” substitute “The Council”,
  - (b) for “the Secretary of State” substitute “the Welsh Ministers”, and
  - (c) for “he” substitute “they”.
- (4) In sub-paragraph (3), for “the authority” substitute “the Council”.

**Commencement Information**

**I40** Sch. 15 para. 40 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

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- 41 In paragraph 20 (application of seal)—
- (a) for “an authority” substitute “the Welsh Council”, and
  - (b) in paragraphs (a) and (b), for “the authority” substitute “the Council”.

**Commencement Information**

**I41** Sch. 15 para. 41 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 42 In paragraph 21 (evidence), for “an authority” substitute “the Welsh Council”.

**Commencement Information**

**I42** Sch. 15 para. 42 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 43 For the title to Schedule 1 substitute “The Welsh Council”.

**Commencement Information**

**I43** Sch. 15 para. 43 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

*Amendments to the Health and Social Care Act 2008 (c. 14)*

- 44 The Health and Social Care Act 2008 is amended as follows.

**Commencement Information**

**I44** Sch. 15 para. 44 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 45 (1) In section 124 (regulation of social care workers)—
- (a) in subsection (1), for “appropriate Minister”, in each place it appears, substitute “Welsh Ministers”,
  - (b) in that subsection, for “their regulation” substitute “the regulation of social care workers”, and
  - (c) in subsection (3), omit the definition of “the appropriate Minister”.
- (2) For the title to that section substitute “Regulation of social care workers: Wales”.

**Commencement Information**

**I45** Sch. 15 para. 45 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 46 Section 125 (standard of proof in proceedings relating to registration of social care worker)—
- (a) in subsection (2), for “a committee of a Council, a Council itself or any officer of a Council” substitute “the Care Council for Wales, a committee of the Council or any officer of the Council”, and
  - (b) in subsection (3), omit paragraph (a).

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**Commencement Information**

**I46** Sch. 15 para. 46 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 47 (1) Section 126 (education and training of approved mental health professionals) is amended as follows.
- (2) In subsection (1)—
- (a) for “appropriate Minister” substitute “Welsh Ministers”, and
  - (b) omit “the General Social Care Council or”.
- (3) In subsection (4), omit the definition of “the appropriate Minister”.
- (4) For the title to section 126 substitute “Education and training of approved mental health professionals: Wales”.

**Commencement Information**

**I47** Sch. 15 para. 47 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 48 In section 171(4) (provisions which Welsh Ministers have power to commence), before paragraph (a) insert—
- “(za) sections 124 and 125 and Schedule 9 (regulation of social care workers: Wales) and section 126 (education and training of approved mental health professionals: Wales),”.

**Commencement Information**

**I48** Sch. 15 para. 48 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 49 (1) Schedule 9 (regulation of social care workers) is amended as follows.
- (2) In paragraph 1 (interpretation), for the definition of “the appropriate Council” substitute—
- ““the Council” means the Care Council for Wales.”
- (3) In paragraph 2 (matters generally within the scope of regulations), in paragraphs (a) and (h), for “the appropriate Council” substitute “the Council”.
- (4) In paragraph 5 (payments), in paragraph (b), for “the appropriate Council” substitute “the Council”.
- (5) In paragraph 6 (sub-delegation), in paragraph (a), omit the words from “Ministers of the Crown” to “Welsh Ministers, on”.
- (6) In paragraph 8 (matters outside the scope of regulations)—
- (a) in sub-paragraph (1), omit “the General Social Care Council or”,
  - (b) in sub-paragraph (2), for “either of those Councils” substitute “the Council”, and
  - (c) in that sub-paragraph, for “that Council” substitute “the Council”.
- (7) Omit paragraph 9 (preliminary procedure for making regulations: England).

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(8) For the title to that Schedule substitute “Regulation of social care workers: Wales”.

**Commencement Information**

**I49** Sch. 15 para. 49 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

*Amendments to other Acts*

- 50 In the following provisions, omit the entry for the General Social Care Council—
- (a) the Schedule to the Public Bodies (Admission to Meetings) Act 1960,
  - (b) Schedule 2 to the Parliamentary Commissioner Act 1967,
  - (c) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975,
  - (d) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, and
  - (e) Part 6 of Schedule 1 to the Freedom of Information Act 2000.

**Commencement Information**

**I50** Sch. 15 para. 50 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 51 In section 343 of the Income Tax (Earning and Pensions) Act 2003 (deductions for professional membership fees), in paragraph 1 of the Table in subsection (2), omit sub-paragraph (o).

**Commencement Information**

**I51** Sch. 15 para. 51 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

- 52 In section 41 of the Safeguarding Vulnerable Groups Act 2006 (registers: duty to refer), in entry number 8 in the table in subsection (7)—
- (a) in the first column, after “social care workers” insert “in Wales”, and
  - (b) in the second column, for the words from “General” to the end substitute “Care Council for Wales”.

**Commencement Information**

**I52** Sch. 15 para. 52 in force at 1.8.2012 by S.I. 2012/1319, art. 2(4)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/1831 art. 10 by [S.I. 2012/2657 art. 15](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 9 Ch. 1B inserted by [2022 c. 31 s. 96](#)
- s. 102(4)(ba) inserted by S.I. 2019/93, Sch. 1 para. 13(3) (as substituted) by [S.I. 2019/1245 reg. 28](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 105(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 21](#)
- s. 106(3A)(3B) inserted by [2013 c. 24 Sch. 14 para. 22](#)
- s. 250(2)-(2B) substituted for s. 250(2) by [2022 c. 31 s. 95\(2\)\(a\)](#)
- s. 250(6)-(6D) substituted for s. 250(6) by [2022 c. 31 s. 95\(2\)\(d\)](#)
- s. 251251ZA substituted for s. 251 by [2022 c. 31 s. 95\(3\)](#)
- s. 251C(6A) inserted by [2022 c. 31 s. 95\(4\)\(a\)](#)
- s. 259(1)(aa)(b) substituted for s. 259(1)(b) by [2022 c. 31 s. 98\(b\)](#)
- s. 259(1)(aa) words substituted by [S.I. 2023/98 Sch. para. 17\(11\)\(a\)\(iii\)](#) (This amendment comes in force at the same time as 2022 c. 31, s. 98 comes into force)
- s. 259(10A)(10B) inserted by [2022 c. 31 s. 98\(h\)](#)
- s. 304(5)(ja) inserted by [2022 c. 31 s. 95\(5\)](#)