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STATUTORY INSTRUMENTS

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**2019 No. 1436 (C. 50)**

**SOCIAL WORK, ENGLAND AND WALES**

**The Children and Social Work Act 2017 (Commencement  
No. 6 and Saving Provision) Regulations 2019**

*Made - - - - 30th October 2019*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 65 and 70(2) of the Children and Social Work Act 2017<sup>(1)</sup>:

**Citation and interpretation**

1.—(1) These Regulations may be cited as the Children and Social Work Act 2017 (Commencement No. 6 and Saving Provision) Regulations 2019.

(2) In these Regulations “the Act” means the Children and Social Work Act 2017.

**Provisions coming into force on 2nd December 2019**

2. The following provisions of the Act come into force on 2nd December 2019—

- (a) section 37 (over-arching objective);
- (b) section 39 (registration) so far as not already in force;
- (c) section 41 (professional standards) so far as not already in force;
- (d) section 43 (education and training) so far as not already in force;
- (e) section 44 (discipline and fitness to practise) so far as not already in force;
- (f) section 46 (ensuring adequate provision of social work training);
- (g) section 47 (exercise by Special Health Authority of functions under section 46(1)(b));
- (h) section 50 (fees) so far as not already in force;
- (i) section 52 (information and advice) so far as not already in force;
- (j) section 53 (duty to co-operate) so far as not already in force;
- (k) section 54 (information for Secretary of State);
- (l) section 55 (default powers) so far as not already in force;
- (m) section 56 (oversight by the Professional Standards Authority for Health and Social Care) so far as not already in force;

- (n) section 61 (repeal of existing powers to regulate social workers);
- (o) section 62 (amendments to do with Part 2);
- (p) section 63 (interpretation of Part 2);
- (q) section 64 (review by independent person);
- (r) Schedule 4 (oversight by the Professional Standards Authority for Health and Social Care) so far as not already in force;
- (s) Schedule 5 (amendments to do with Part 2).

### **Saving provision**

**3.** Despite the coming into force of regulation 41(3) of the Social Workers Regulations 2018<sup>(2)</sup> by virtue of the coming into force of section 39(1) of the Act in accordance with regulation 2 of these Regulations, article 14(b) of the Health Professions Order 2001<sup>(3)</sup> continues to apply in relation to standards and requirements described in article 14(b) other than any which were established in relation to social workers in England before the coming into force of section 39(1).

30th October 2019

*Michelle Donelan*  
Parliamentary Under Secretary of State  
Department for Education

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(2) [S.I. 2018/893](#).

(3) [S.I. 2002/254](#); the Order was re-named by section 213(4) and (6) of the Health and Social Care Act 2012 (c. 7), and by paragraphs 45 and 46 of Schedule 5 to the Children and Social Work Act 2017. Article 14(b) of the Order is revoked by regulation 41(3) of the Social Workers Regulations 2018 which comes into force on the date on which section 39(1) comes into force (see regulation 1(2) of those Regulations).

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## EXPLANATORY NOTE

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

These Regulations are the sixth commencement regulations made under the Children and Social Work Act 2017 (c. 16) (“the Act”). Section 10, Schedule 1, and Part 3 of the Act came into force when the Act was passed by virtue of section 70 of the Act.

Regulation 2 brings into force on 2nd December 2019 the remaining provisions of Part 2 of the Act, relating to transfer of the regulation of social workers in England from the Health and Care Professions Council to Social Work England.

Regulation 3 is a saving provision in connection with the coming into force of section 39(1) of the Act. It saves article 14(b) of the Health Professions Order 2001 (S.I. 2002/254), which would otherwise be revoked by regulation 41(3) of the Social Workers Regulations 2018 (S.I. 2018/893) which come into force on the date on which section 39(1) comes into force, so that article 14(b) continues to apply except in relation to standards and requirements which were established in relation to social workers in England before the coming into force of section 39(1).

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

The following provisions of the Children and Social Work Act 2017 (c. 16) have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (England)	01.04.18	2018/346 (C.30)
Section 2 (England)	01.04.18	2018/346 (C.30)
Section 3 (England)	01.04.18	2018/346 (C.30)
Section 4 (England)	01.09.18	2018/497 (C.41)
Section 5 (England)	01.09.18	2018/497 (C.41)
Section 6 (England)	01.09.18	2018/497 (C.41)
Section 7 (England)	01.09.18	2018/497 (C.41)
Section 8 (England and Wales)	31.10.17	2017/918 (C.76)
Section 9 (England and Wales)	31.10.17	2017/918 (C.76)
Section 11 (England)	01.04.18	2018/346 (C.30)
Section 12 (England)	29.06.18	2018/497 (C.41)
Section 13 (partially) (England)	19.03.18	2018/346 (C.30)
Section 13 (remainder) (England)	29.06.18	2018/497 (C.41)

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 14 (England)	29.06.18	2018/497 (C.41)
Section 15 (England)	29.06.18	2018/497 (C.41)
Section 16 (partially) (England)	19.03.18	2018/346 (C.30)
Section 16 (remainder) (England)	29.06.18	2018/497 (C.41)
Section 17 (partially) (England)	19.03.18	2018/346 (C.30)
Section 17 (remainder) (England)	29.06.18	2018/497 (C.41)
Section 18 (partially) (England)	19.03.18	2018/346 (C.30)
Section 18 (remainder) (England)	29.06.18	2018/497 (C.41)
Section 19 (England)	29.06.18	2018/497 (C.41)
Section 20 (England)	29.06.18	2018/497 (C.41)
Section 21 (England)	29.06.18	2018/497 (C.41)
Section 22 (England)	29.06.18	2018/497 (C.41)
Section 23 (England)	29.06.18	2018/497 (C.41)
Section 24 (England)	29.06.18	2018/497 (C.41)
Section 25 (England)	29.06.18	2018/497 (C.41)
Section 26 (England)	29.06.18	2018/497 (C.41)
Section 27 (England)	29.06.18	2018/497 (C.41)
Section 28 (England)	29.06.18	2018/497 (C.41)
Section 29 (partially) (England)	19.03.18	2018/346 (C.30)
Section 31 (England)	29.06.18	2018/497 (C.41)
Section 33 (England)	31.10.17	2017/918 (C.76)
Section 34 (England)	01.04.18	2018/346 (C.30)
Section 35 (England)	01.04.18	2018/346 (C.30)
Section 36 (partially) (England)	01.04.18	2018/346 (C.30)
Section 36 (England)	01.09.18	2018/945 (C.73)
Section 38 (England)	01.04.18	2018/346 (C.30)
Section 39 (partially) (England)	01.04.18	2018/346 (C.30)
Section 40 (England)	01.04.18	2018/346 (C.30)
Section 41 (partially) (England)	01.04.18	2018/346 (C.30)
Section 42 (England)	31.10.17	2017/918 (C.76)
Section 43 (partially) (England)	01.04.18	2018/346 (C.30)
Section 44 (partially) (England)	01.04.18	2018/346 (C.30)
Section 45 (England)	01.04.18	2018/346 (C.30)
Section 48 (England)	01.04.18	2018/346 (C.30)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 49 (England)	01.04.18	2018/346 (C.30)
Section 50 (partially) (England)	01.04.18	2018/346 (C.30)
Section 51 (England)	01.04.18	2018/346 (C.30)
Section 52 (partially) (England)	01.04.18	2018/346 (C.30)
Section 53 (partially) (England)	01.04.18	2018/346 (C.30)
Section 55 (partially) (England)	01.04.18	2018/346 (C.30)
Section 56 (partially) (England)	15.01.18	2017/1217 (C.114)
Section 56 (partially) (England)	01.04.18	2018/346 (C.30)
Section 57 (England)	01.04.18	2018/346 (C.30)
Section 58 (England)	15.01.18	2017/1217 (C.114)
Section 59 (England)	01.04.18	2018/346 (C.30)
Section 60 (England)	01.04.18	2018/346 (C.30)
Part 1, Schedule 2	01.04.18	2018/346 (C.30)
Schedule 2 (remainder)	29.06.18	2018/497 (C.41)
Paragraphs 1 to 12 and 21 to 24 of Schedule 3 (England)	01.04.18	2018/346 (C.30)
Schedule 3 (remainder) (England)	01.09.18	2018/945 (C.73)
Paragraph 1, Schedule 4 (partially) (England)	15.01.18	2017/1217 (C.114)
Paragraph 1, Schedule 4 (partially) (England)	01.04.18	2018/346 (C.30)
Paragraph 4, Schedule 4 (partially) (England)	15.01.18	2017/1217 (C.114)
Paragraph 4, Schedule 4 (England)	01.04.18	2018/346 (C.30)
Paragraph 15, Schedule 4 (partially) (England)	01.04.18	2018/346 (C.30)
Paragraph 16, Schedule 4 (England)	01.04.18	2018/346 (C.30)