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W E L S H S T A T U T O R Y  
I N S T R U M E N T S

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**2023 No. 370 (W. 56) (C. 16)**

**NATIONAL HEALTH  
SERVICE, WALES**

**SOCIAL CARE, WALES**

The Health and Social Care  
(Quality and Engagement) (Wales)  
Act 2020 (Commencement No. 4)  
Order 2023

**EXPLANATORY NOTE**

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

This Order made by the Welsh Ministers brings into force certain provisions of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (“the Act”).

Article 2 of this Order brings the following provisions of the Act into force on 29 March 2023—

- (a) section 23(3) (abolition of Community Health Councils, and connected matters);
- (b) Schedule 2 (transfer of property, rights and liabilities).

Article 3(1) of this Order brings the following provisions of the Act into force on 1 April 2023—

- (a) section 1 (overview of this Act);
- (b) section 2 (quality in the provision of health services);
- (c) section 3 (when the duty of candour applies);
- (d) section 5 (primary care providers: duty to prepare report);
- (e) section 6 (supply and summary of report under section 5);
- (f) section 7 (Local Health Board, NHS trust and Special Health Authority: reporting requirements);

- (g) section 8 (publication of section 6 summary and section 7 report);
- (h) section 9 (confidentiality);
- (i) section 10 (guidance given by the Welsh Ministers);
- (j) section 13 (general objective);
- (k) section 14 (public awareness and statement of policy);
- (l) section 15 (representations to public bodies);
- (m) section 16 (advocacy services etc. in respect of complaints about services);
- (n) section 17 (duty to promote awareness of activities of Citizen Voice Body);
- (o) section 18 (duty to supply information to Citizen Voice Body);
- (p) section 20 (co-operation between the Body, local authorities and NHS bodies);
- (q) section 23(1) and (2) (abolition of Community Health Councils, and connected matters);
- (r) section 27 (minor and consequential amendments);
- (s) paragraphs 6 (appointment of the associate member), 7 (terms of associate membership etc.) and 8 (removal of associate member from office) of Schedule 1 (Citizen Voice Body for Health and Social Care, Wales);
- (t) Schedule 3 (minor and consequential amendments).

Article 3(2) of this Order brings the following provisions of the Act into force on 1 April 2023, to the extent that those provisions have not already been commenced—

- (a) section 4 (duty of candour procedure);
- (b) section 11 (interpretation of “health care” and other terms).

#### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

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

The following provisions of the Act 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 24	8 March 2022	2022/208 (W. 66) (C. 9)
Section 26	8 March 2022	2022/208 (W. 66) (C. 9)
Section 12	1 April 2022	2022/208 (W. 66) (C. 9)
Section 19 (partially)	1 April 2022	2022/208 (W. 66) (C. 9)
Section 21	1 April 2022	2022/208 (W. 66) (C. 9)
Section 22	1 April 2022	2022/208 (W. 66) (C. 9)
Section 4 (partially)	7 March 2023	2023/259 (W. 36) (C. 13)
Section 11 (partially)	7 March 2023	2023/259 (W. 36) (C. 13)
Section 25	7 March 2023	2023/259 (W. 36) (C. 13)
Section 28	7 March 2023	2023/259 (W. 36) (C. 13)
Schedule 1 (save for paragraphs 6, 7, 8 and 22 of that Schedule)	1 April 2022	2022/208 (W. 66) (C. 9)
Paragraph 22 of Schedule 1	1 October 2022	2022/996 (W. 212)(1)

*See* also section 29(1) of the Act for the provisions that came into force on 1 June 2020 (the date of Royal Assent).

(1) Instrument not allocated number in the Commencement Instruments series.

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**NATIONAL HEALTH  
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The Health and Social Care  
(Quality and Engagement) (Wales)  
Act 2020 (Commencement No. 4)  
Order 2023

*Made*

*26 March 2023*

The Welsh Ministers, in exercise of the powers conferred on them by section 29(2) and (3)(a) of the Health and Social Care (Quality and Engagement) (Wales) Act 2020(1), make the following Order:

**Title and interpretation**

1.—(1) The title of this Order is the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (Commencement No. 4) Order 2023.

(2) In this Order, “the Act” means the Health and Social Care (Quality and Engagement) (Wales) Act 2020.

**Provisions coming into force on 29 March 2023**

2. The following provisions of the Act come into force on 29 March 2023—

- (a) section 23(3);
- (b) Schedule 2.

**Provisions coming into force on 1 April 2023**

3.—(1) The following provisions of the Act come into force on 1 April 2023—

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(1) 2020 asc 1.

- (a) section 1;
- (b) section 2;
- (c) section 3;
- (d) section 5;
- (e) section 6;
- (f) section 7;
- (g) section 8;
- (h) section 9;
- (i) section 10;
- (j) section 13;
- (k) section 14;
- (l) section 15;
- (m) section 16;
- (n) section 17;
- (o) section 18;
- (p) section 20;
- (q) section 23(1) and (2);
- (r) section 27;
- (s) paragraphs 6, 7 and 8 of Schedule 1;
- (t) Schedule 3.

(2) The following provisions of the Act come into force on 1 April 2023, so far as not already in force—

- (a) section 4;
- (b) section 11.

*Eluned Morgan*  
Minister for Health and Social Services, one of the  
Welsh Ministers  
26 March 2023