

*These notes refer to the Lords Amendments to the Personal Care at Home Bill
as brought from the House of Lords on 24 March 2010 [Bill 97]*

PERSONAL CARE AT HOME BILL

EXPLANATORY NOTES ON LORDS AMENDMENTS

INTRODUCTION

1. These explanatory notes relate to the Lords Amendments to the Personal Care at Home Bill, as brought from the House of Lords on 24 March 2010. They have been prepared by the Department of Health in order to assist the reader of the Bill and to help inform debate on the Lords Amendments. They do not form part of the Bill and have not been endorsed by Parliament.
2. These notes, like the Lords Amendments themselves, refer to HL Bill 23, the Bill as first printed for the Lords.
3. These notes need to be read in conjunction with the Lords Amendments and the text of the Bill. They are not, and are not meant to be, a comprehensive description of the effect of the Lords Amendments.
4. All the Lords Amendments were opposed by the Government.

COMMENTARY ON LORDS AMENDMENTS

Lords Amendment 1

5. Lords Amendment 1 would add a new paragraph to the new subsection (4B) inserted by clause 1 of the Bill in section 15 of the Community Care (Delayed Discharges etc.) Act 2003 (“the 2003 Act”). The new paragraph would provide that regulations requiring the provision of personal care to a person living at home to be free of charge for more than six weeks could not be made before 1 April 2011.

*These notes refer to the Lords Amendments to the Personal Care at Home Bill
as brought from the House of Lords on 24 March 2010 [Bill 97]*

Lords Amendment 2

6. Lords Amendment 2 would insert new subsections (3) and (4) into clause 2 of the Bill. The new subsections would provide for the Bill to come into force on a date appointed by the Secretary of State by order (rather than on Royal Assent), and for such an order to be subject to the affirmative resolution procedure in both Houses of Parliament.

Lords Amendment 3

7. Lords Amendment 3 would insert a new subsection at the end of clause 2 of the Bill. The new subsection would prevent the Bill from coming into force until the Secretary of State had commissioned an independent review of the affordability of the Bill's provisions and had laid the report of that review before both Houses of Parliament.

Lords Amendment 4

8. Lords Amendment 4 would insert a new clause into the Bill. The new clause would provide for the Act resulting from the Bill to lapse at the end of two years from the date of Royal Assent, unless there are at that time regulations under section 15 of the 2003 Act in force that require personal care at home to be provided free of charge for more than six weeks.

FINANCIAL EFFECTS OF THE LORDS AMENDMENTS

9. Lords Amendment 3 would require the Secretary of State to commission an independent review of the affordability of the Bill's provisions. It is estimated that commissioning such a review would cost up to £500,000.

PERSONAL CARE AT HOME BILL

EXPLANATORY NOTES ON LORDS AMENDMENTS

These notes refer to the Lords Amendments to the Personal Care at Home Bill as brought from the House of Lords on 24 March 2010 [Bill 97]

*Ordered, by The House of Commons,
to be Printed, 24 March 2010.*

© Parliamentary copyright House of Commons 2010
*Applications for reproduction should be made in writing to the Information Policy Team,
Office of Public Sector Information, Kew, Richmond, Surrey TW9 4DU*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON - THE STATIONERY OFFICE
Printed in the United Kingdom by
The Stationery Office Limited

£x.00