

2009 No. 3041 (W.265)

SOCIAL CARE, WALES

**CHILDREN AND YOUNG
PERSONS, WALES**

The Children Act 1989
(Amendment of Miscellaneous
Regulations) (Wales) Regulations
2009

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Children Act 2004 extended the meaning of “organisation” in the Children Act 1989 to include an unincorporated association. These Regulations make amendments to the Childminding and Day Care (Wales) Regulations 2002 and the Registration of Social Care and Independent Health Care (Wales) Regulations 2002 to give administrative effect to that amendment. They also amend the schedule of documents and information that an applicant for registration is required to provide where a person has been appointed to be in charge of day care.

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The Children Act 1989
(Amendment of Miscellaneous
Regulations) (Wales) Regulations
2009

Made 16 November 2009

Laid before the National Assembly for Wales

18 November 2009

Coming into force 20 January 2010

The Welsh Ministers make the following regulations in exercise of the power conferred on them by sections 76C and 104(4) of the Children Act 1989⁽¹⁾.

Title, commencement and application

1.—(1) The title of these Regulations is the Children Act 1989 (Amendment of Miscellaneous Regulations)(Wales) Regulations 2009 and they come into force on 20 January 2010

(2) These Regulations apply in relation to Wales.

Amendment of the Child Minding and Day Care (Wales) Regulations 2002(2)

2.—(1) The Child Minding and Day Care Regulations (Wales) 2002 are amended in accordance with the following provisions of this regulation.

(1) 1989 c.41.

(2) S.I. 2002/812 (W.92).

(2) In regulation 2(1) in the line beginning “organisation” (“*corff*”) after “corporate body” add “or unincorporated association”.

(3) In regulation 4(2)(b)(i) after “officer of the organisation” add “where that organisation is a corporate body or an officer or member of the governing body where the organisation is an unincorporated association”.

(4) At the end of schedule 3 add –

“(14) The name, home address and telephone number of every current member of the committee or governing body of an unincorporated association.”

Amendment of the Registration of Social Care and Independent Health Care (Wales) Regulations 2002(1)

3.—(1) The Registration of Social Care and Independent Health Care (Wales) Regulations 2002 are amended in accordance with the following provisions of this regulation.

(2) In regulation 2 in the definition of “organisation” after “corporate” add -“and, in the case of provision of day care only, a corporate body or unincorporated association”.

(3) Regulation 17(1)(e) and (2) are revoked.

(4) In Regulation 17(1)(d) delete the words “except where paragraph (2) applies,”.

(5) In Schedule 7 paragraph 2(a) after “and” add “,where the organisation is a corporate body,”;

(6) In Schedule 8 paragraph 5 substitute “a corporate body” for “an organisation”.

Jane Hutt

Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

16 November 2009

(1) S.I. 2002/919 (W.107).