



**Cynulliad Cenedlaethol Cymru  
The National Assembly for Wales**

PWYLLGOR DEDDFAU ADRODDIAD

LEGISLATION COMMITTEE REPORT

**The Children's Homes Amendment (Wales) Regulations 2001**

**Background**

These Regulations amend the Children's Homes Regulations 1991 in relation to Wales.

The effect of these Regulations, subject to existing restrictions on a person fostering more than three children, is to exempt homes in which children are accommodated as foster children from the requirement to register as a children's home.

An identical textual amendment has been made for England by SI 2000/2764. This amendment comes into force on 1 January 2001.

**Standing Order 11.5**

No points have been identified as matters in respect of which the Committee needs to invite the Assembly to pay special attention, under Standing Order 11.5

**General Observations**

Having had the opportunity of looking at an early draft of these Regulations, the legal advisers to the Committee have been able to identify a number of points which have now been taken into account in the final draft. Some points remain, however.

## **Explanatory Note**

This might be easier for users if each sentence was a separate paragraph.

## **Regulation 2 – opening wording**

The numbering (1) is not appropriate as Regulation 2 is not divided into paragraphs.

## **Regulation 2 – inserted text**

The numbering (1) in the inserted regulation 3B is not appropriate as 3B is not divided into paragraphs.

Given that the actual text of the inserted regulation 3B is the same as that which has been inserted for England, it is agreed that it is appropriate for these Regulations to inset a duplicate 3B. If the text inserted for Wales had been in any respect different from that inserted for England, however, it would have been more appropriate to insert a regulation 3C containing wording to indicate that it applied only to Wales.

Although it is appreciated that it is considered appropriate to adhere to the wording of the provision inserted for England, it is queried whether the following wording in regulation 3B has any significance –

“so far as the provision of care and accommodation for that child is concerned”

**Mick Bates AM**  
**Chair, Legislation Committee**

19 December 2000