

2011 No. 2660 (W. 284)

CRIMINAL LAW, WALES

**The Substance Misuse (Formulation
and Implementation of Strategy)
(Wales) (Amendment) Regulations
2011**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide in regulation 3 for the substitution of regulation 3 in the Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007 (the “2007 Regulations”) with effect from 5 December 2011. Regulation 3 of the 2007 Regulations relates to the composition and meeting arrangements of a strategy group for each local government area, whose function is to prepare strategic assessments in accordance with regulations 5 to 7 and to prepare a partnership plan in accordance with regulations 8 and 9.

Regulation 4 of these Regulations omits the requirement in respect of a three year period in regulation 9(a) of the 2007 Regulations in connection with a partnership plan.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Substance Misuse (Formulation
and Implementation of Strategy)
(Wales) (Amendment) Regulations
2011**

Made 1 November 2011

Laid before the National Assembly for Wales
14 November 2011

Coming into force 5 December 2011

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 6(2), (3), (4) and (9)(b) of the Crime and Disorder Act 1998⁽¹⁾ and now vested in them⁽²⁾, make the following Regulations.

Title, commencement and interpretation

1.—(1) The title of these Regulations is The Substance Misuse (Formulation and Implementation of Strategy) (Wales) (Amendment) Regulations 2011 and they come into force on 5 December 2011.

(2) In these Regulations the “2007 Regulations” (“*Rheoliadau 2007*”) means the Substance Misuse (Formulation and Implementation of Strategy) (Wales) Regulations 2007⁽³⁾.

Amendment of the 2007 Regulations

2. The 2007 Regulations are amended as follows.

3. For regulation 3 there is substituted—

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- (1) 1998 c. 37; section 6 was substituted by section 22 of, and paragraph 3 of Schedule 9 to, the Police and Justice Act 2006 (c. 48) and was amended by section 108(4) and (5) of the Policing and Crime Act 2009 (c. 26).
- (2) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (3) S.I. 2007/3078 (W.265).

“Functions in respect of the formulation and implementation of a strategy

3.—(1) For each area there is to be a strategy group whose functions are to be to—

- (a) prepare strategic assessments; and
- (b) prepare and implement a partnership plan,
for that area on behalf of the responsible authorities.

(2) Subject to paragraph (3) the strategy group is to consist of two or more persons appointed by one or more of the responsible authorities in the area.

(3) Where there is more than one responsible authority of the type specified in section 5(1)(aa) of the 1998 Act in the area, those providers must jointly appoint one or more persons to the strategy group.

(4) A meeting of a strategy group may be attended by persons who represent co-operating and participating persons and bodies and such other persons as the strategy group invites.

(5) The strategy group must have in place arrangements governing the review of the expenditure of partnership monies and for assessing the economy, efficiency and effectiveness of such expenditure.”.

4. In regulation 9(a) the words “in the three year period beginning with the year referred to in regulation 8(2)” are omitted.

Carl Sargeant

Minister for Local Government and Communities, one of the Welsh Ministers

1 November 2011