

National Assembly for Wales

Constitutional and Legislative Affairs Committee

CLA610 - The National Independent Safeguarding Board (Wales) (No 2) Regulations 2015

Procedure:

Negative

Background

These Regulations revoke and replace the National Independent Safeguarding Board (Wales) Regulations 2015 (the original Regulations).

The original Regulations set out the arrangements for appointments to, and proceedings of, the National Safeguarding Board.

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

These Regulations have been made to correct an administrative error. As a consequence of the Social Services and Well-being (Wales) Act 2014 (Commencement No.2) Order 2015 naming the appointed day for commencement of sections 132 and 133 of the Act as 21 October 2015, the National Independent Safeguarding Board (Wales) Regulations 2015 were not only made, but came into force in advance of the relevant powers in the Act.

While it may be considered that section 13 of the Interpretation Act 1978, regarding the anticipatory exercise of powers, provides a sufficient legal basis, it is considered prudent to place the matter beyond doubt by revoking and remaking the regulations with a coming into force date after the appointed day for the coming into force of the enabling power in the Act.

Legal Advisers
Constitutional and Legislative Affairs Committee
05 November 2015



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