

National Assembly for Wales

Constitutional and Legislative Affairs Committee

Statutory Instruments with Clear Reports

30 November 2015

CLA620 - The Care and Support (Provision of Health Services) (Wales) Regulations 2015

Procedure: Negative

The Social Services and Well-being Act 2014 provides that a local authority may not meet a person's needs for care and support (or a carer's need for support) by providing or arranging the provision of a service which is required to be provided under a health enactment unless doing so would be incidental or ancillary to doing something else to meet those needs.

The Act also provides that this prohibition does not apply in circumstances specified in regulations.

These Regulations enable a local authority to arrange for the provision of accommodation together with nursing care provided by a registered nurse provided that the authority has obtained the consent of the relevant health body.

CLA621 - The Care and Support (Business Failure) (Wales) Regulations 2015

Procedure: Negative

The Social Services and Well-being Act 2014 imposes temporary duties on local authorities to meet care and support needs of adults (or the support needs of carers) in circumstances where registered providers of care are unable to carry on because of 'business failure'.

These regulations provide for the interpretation of 'business failure' and the circumstances in which an individual, or provider who is not an individual, is to be treated as not being able to do something because of 'business failure'.

