

# National Assembly for Wales

Constitutional and Legislative Affairs Committee

## Statutory Instruments with Clear Reports

08 February 2016

### CLA648 - The Cancellation of Student Loans for Living Costs Liability (Wales) Regulations 2016

#### Procedure: Negative

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These Regulations govern the student loan liability of students who receive loans for living costs from the Welsh Ministers in respect of the academic year 2016/2017.

These Regulations provide for up to £1,500 of each borrower's living costs loan liability to be cancelled in certain circumstances, with effect from the day after the date on which their first loan repayment is considered to have been received.

### CLA652 - The Education (Student Support) (Wales) (Amendment) Regulations 2016

#### Procedure: Negative

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These Regulations amend The Education (Student Support) (Wales) (Amendment) Regulations 2015 ('the 2015 Regulations') that provide financial support for students who are ordinarily resident in Wales and taking designated higher education courses in respect of academic years beginning on or after 1 September 2015.

Further, these Regulations make amendments to the 2015 Regulations, which will apply to the provisions of support to students in relation to an academic year which begins on or after 1 September 2016. Also, these Regulations correct typographical errors in the 2015 Regulations.

### CLA653 - The Child Minding and Day Care (Wales) (Amendment) Regulations 2016

#### Procedure: Negative

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The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 amend the Child Minding and Day Care (Wales) Regulations 2010 to:

- reflect the consequential changes arising from the Regulation of Child Minding and Day Care (Wales) Order 2016 which extends the upper age limit for the registration of childcare provision from 8 to 12 years;



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- remove the requirement on applicants to provide Welsh Ministers with an application for an enhanced criminal record certificate and for the Welsh Ministers to countersign that application;
- remove the requirement for a certificate of registration to contain the name of the person in charge where one has been appointed;
- remove certain requirements relating to open access play provision.

## CLA654 - The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016

### Procedure: Negative

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These Regulations revoke and replace, with changes, the Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2013 (The Regulations). The Regulations place a duty on Local Authorities to undertake childcare sufficiency assessments in their local authority area and also prescribe the matters to be included within the assessment, including consultation and publication requirements, action planning and annual reporting requirements.

## CLA655 - The Child Minding and Day Care (Wales) (Amendment) Regulations 2016

### Procedure: Negative

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These Regulations amend the following with effect from 1 March 2016:-

- The NHS (General Medical Services Contracts) (Wales) Regulations 2004;
- The NHS (General Medical Service Contracts) (Prescription of Drugs etc) (Wales) regulations 2006;
- The NHS (General Dental Services contracts) (Wales) Regulations 2006; and
- The NHS (Personal Dental Services Agreements) (Wales) Regulations 2006

The amendments will:-

- allow a GMS contractor to accept a member of Her Majesty's armed forces as a patient for a maximum of two years;
- lift the current restriction on prescribing oseltamivir to infants under the age of one year;
- add avanafil to be added to the list of restricted treatments and remove apomorphin, thymoxamine and moxislylute from the list;
- disallow General Dental practitioners who contract with a local health board in Wales to use non-geographical telephone numbers when providing general dental services;
- extend the timescales which the estate of a deceased contract holder has to confirm to the health board that they wish to continue to hold the contract;
- provide for disputes arising from contracts deemed to be NHS general medical, dental or personal dental services contracts to be heard by the Welsh Ministers despite the contractor subsequently changing the status of the contract from an NHS contract to a non-NHS contract.



## CLA658 - The Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016

### Procedure: Negative

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These Regulations make provision under sections 61Z1 and 61Z2 of the Town and Country Planning Act 1990 for the provision of services by local planning authorities before a qualifying application is made.

## CLA661 - The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2016

### Procedure: Negative

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These Regulations correct an error in the Welsh text of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 (S.I. 2012/793 (W. 108)).

## CLA662 - The Developments of National Significance (Application of Enactments) (Wales) Order 2016

### Procedure: Negative

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This Order applies various enactments to applications made to the Welsh Ministers for planning permission for development which is of national significance. The Order also modifies those enactments, where appropriate to do so.

## CLA663 - The Developments of National Significance (Wales) Regulations 2016

### Procedure: Negative

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These Regulations deal with various matters in relation to development which is of national significance to Wales.

These Regulations:

- make provision under sections 61Z1 and 61Z2 of the Town and Country Planning Act 1990 (“the 1990 Act”) for the provision of services by local planning authorities and the Welsh Ministers before an application for planning permission is made for development of national significance (Part 2);
- prescribe functions relating to such applications and secondary consents() which are to be carried out by an appointed person on behalf of the Welsh Ministers (Part 3);
- make provision for the procedure to be followed in the examination of such applications (Parts 4 to 10);



- make provision for the manner in which secondary consents or applications for secondary consents are dealt with by the Welsh Ministers (Part 11);
- modify applicable enactments in relation to secondary consents (Part 11 and Schedules 2 to 10); and
- prescribe the applications made under section 73 of the 1990 Act (determination of applications to develop land without compliance with conditions previously attached) which are to be treated as nationally significant development applications (Part 12).

## CLA664 - The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016

### Procedure: Negative

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The Order will amend the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("the 2012 Order"). The Order will change how planning related applications are submitted to local planning authorities, how they are handled, how they are publicised and how developers must notify the authorities before commencing work on site.

The Order makes provision for the following issues to implement the Planning (Wales) Act 2015 (PWA):

- Requirement to carry out pre-application consultation (Section 17 PWA);
- Invalid applications: notice and appeals (Section 29 PWA);
- Decision Notices (Section 33 PWA);
- Notification of Development (Section 34 PWA);
- Consultation in respect of certain applications relating to planning permission (Section 37 PWA);

## CLA649 - The Qualifications Wales Act 2015 (Consequential Amendments) Regulations 2016

### Procedure: Affirmative

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These Regulations are made in consequence of the Qualifications Wales Act 2015 ("the Act"), which established Qualifications Wales as the independent regulator of qualifications in Wales. These Regulations update references in other legislation so as to reflect the new system of qualification regulation in Wales as a result of the Act.

## CLA667 - The Children (Secure Accommodation) (Wales) (Amendment) Regulations 2016

### Procedure: Affirmative

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These regulations amend the Children (Secure Accommodation) (Wales) Regulations 2015. The purpose of the amendments is to -



- ensure that the requirements imposed on Welsh local authorities in relation to placements of children in secure accommodation apply regardless of whether children are placed in Wales or in England;
- Remove the prohibition on local authorities applying to the court for authority to place 16 and 17 year olds in secure accommodation where such children are accommodated under section 76 of the Social Services and well-being Act 2014;
- Ensure that the obligation on custody officer to move arrested juveniles to local authority accommodation applies to children under 18 years of age; and
- Maintain the requirement that a local authority required authorisation from the court in the event that a child is remanded to secure accommodation for a period exceeding 28 days.

