

SL(5)036 – The Social Care Wales (Specification of Social Care Workers) (Registration) Regulations 2016

Background and Purpose

Section 80(1)(a) and (b) of the Regulation and Inspection of Social Care (Wales) Act 2016 (“the Act”) require Social Care Wales to keep a register of social workers and social care workers of any other description specified by the Welsh Ministers in regulations. These Regulations specify the descriptions of social care workers for whom a register must be kept.

Procedure

Affirmative

Technical Scrutiny

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

Merits Scrutiny

One point is identified for reporting under Standing Order 21.3 in respect of this instrument (Standing Order 21.3(ii): the instrument is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Assembly).

These Regulations are made under sections of the 2016 Act that are not yet in force. The Welsh Government has confirmed that the relevant sections of the 2016 Act will be commenced before 3 April 2017 (i.e. the date these Regulations come into force). Although the relevant sections of the 2016 Act are not currently in force, the Welsh Ministers can make these Regulations by relying on section 13 of the Interpretation Act 1978 which allows certain powers to be exercised before the relevant sections of the 2016 Act are commenced.

Legal Advisers

Constitutional and Legislative Affairs Committee

28 November 2016

