



# Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

## PART 3

### SOCIAL CARE WALES

*Rules made by SCW under this Act*

#### 73 Rules: general

- (1) Any power conferred on SCW by or under this Act to make rules must be exercised by an instrument in writing.
- (2) An instrument containing rules must specify the provision under which the rules are made.
- (3) To the extent that an instrument containing rules does not comply with subsection (2) it is void.
- (4) Any power of SCW to make rules conferred by or under this Act may be exercised—
  - (a) so as to make different provision for different purposes;
  - (b) so as to make incidental, supplemental, consequential and transitional provision.
- (5) SCW must—
  - (a) publish rules made by it, and
  - (b) ensure the rules are publicly available until such time as they cease to have effect.
- (6) SCW may charge a fee for providing a person with a copy of rules made by it.

*Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Rules made by SCW under this Act. (See end of Document for details)*

**Commencement Information**

- I1** S. 73(1)(2) in force at 11.7.2016 for specified purposes by S.I. 2016/713, **art. 2**
- I2** S. 73(1)(2) in force at 3.4.2017 in so far as not already in force by S.I. 2017/309, **art. 2(b)** (with arts. 3, 4, Sch.)
- I3** S. 73(3)-(6) in force at 3.4.2017 by S.I. 2017/309, **art. 2(b)** (with arts. 3, 4, Sch.)

**74 Rules: fees**

- (1) SCW may by rules make provision for the payment of fees to SCW in connection with the discharge of functions by—
  - (a) SCW;
  - (b) the registrar (see section 81).
- (2) In particular, the rules may make provision for the payment of fees in connection with—
  - (a) the provision of advice or other assistance under section 69;
  - (b) registration in the register (see Part 4);
  - (c) the approval of courses under section 114 (approval of courses for persons who are or wish to become social care workers);
  - (d) the provision of training under section 116 (training provided or secured by SCW);
  - (e) the provision of copies of codes of practice or copies of, or extracts from, the register.

<sup>F1</sup>(3) .....

**Textual Amendments**

- F1** S. 74(3) omitted (31.12.2020) by virtue of The Regulation and Inspection of Social Care (Qualifications) (Wales) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/761), regs. 1(2), 4 (with regs. 15A-19) (as amended by S.I. 2020/1626, regs. 1(2), 6-13); 2020 c. 1, Sch. 5 para. 1(1)

**Commencement Information**

- I4** S. 74 in force at 3.4.2017 by S.I. 2017/309, **art. 2(b)** (with arts. 3, 4, Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Rules made by SCW under this Act.