

**Changes to legislation:** Children and Families (Wales) Measure 2010 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 1

(introduced by section 72)

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Magistrates' Courts Act 1980 (c. 43)*

1 Amend the Magistrates' Courts Act 1980 as follows.

#### Commencement Information

**I1** Sch. 1 para. 1 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

2 In section 65 (meaning of family proceedings), in subsection (1) after paragraph (nza) insert—

“(nzb) sections 34 and 43 of the Children and Families (Wales) Measure 2010;”.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

#### *Senior Courts Act 1981 (c. 54)*

3 Amend the Senior Courts Act 1981 as follows.

#### Commencement Information

**I3** Sch. 1 para. 3 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

4 In Schedule 1 (distribution of business in High Court) after paragraph 3(ea) insert—

“(eb) proceedings under section 43 of the Children and Families (Wales) Measure 2010;”.

#### Commencement Information

**I4** Sch. 1 para. 4 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

#### *Children Act 1989 (c. 41)*

5 Amend the Children Act 1989 as follows.

#### Commencement Information

**I5** Sch. 1 para. 5 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

6 In Section 80 (inspection of children's homes etc by persons authorised by the Welsh Ministers)—

- (a) in subsection (1) omit paragraph (i);
- (b) in subsection (5) omit paragraphs (h) and (hh).

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**Commencement Information**

**I6** Sch. 1 para. 6 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 7 In section 105 (interpretation)—
- (a) in subsection (1)—
    - (i) in the definition of “day care” omit “(except in Part XA)”;
    - (ii) in the definition of “hospital” omit “(except in Schedule 9A)”;
  - (b) omit subsection (5A).

**Commencement Information**

**I7** Sch. 1 para. 7 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Water Industry Act 1991 (c. 56)*

- 8 Amend the Water Industry Act 1991 as follows.

**Commencement Information**

**I8** Sch. 1 para. 8 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 9 In Schedule 4A (premises that are not to be disconnected for non-payment of charges) in paragraph 12(2) for “Part 10A of the Children Act 1989” substitute “Part 2 of the Children and Families (Wales) Measure 2010”.

**Commencement Information**

**I9** Sch. 1 para. 9 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Protection of Children Act 1999 (c. 14)*

- 10 Amend the Protection of Children Act 1999 as follows.

**Commencement Information**

**I10** Sch. 1 para. 10 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 11 In section 2A (power of certain authorities to refer individuals for inclusion in list of persons considered unsuitable to work with children), in subsection (1)(a) for “Part 10A of the Children Act 1989” substitute “Part 2 of the Children and Families (Wales) Measure 2010”.

**Commencement Information**

**I11** Sch. 1 para. 11 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 12 In section 9 (the Tribunal), in subsection (2)—
- (a) in paragraph (c) omit “or under, or by virtue of, Part XA of that Act”;

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- (b) in paragraph (f), omit “or”;
- (c) at the end of paragraph (g) insert “ ; or ”;
- (d) after paragraph (g) insert—
  - “(h) on an appeal under, or by virtue of, Part 2 of the Children and Families (Wales) Measure 2010”.

**Commencement Information**

**I12** Sch. 1 para. 12 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Care Standards Act 2000 (c. 14)*

- 13 Amend the Care Standards Act 2000 as follows.

**Commencement Information**

**I13** Sch. 1 para. 13 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 14 In section 55(3)(e)—
- (a) for “Assembly” in both places where it appears substitute “ Welsh Assembly Government ”;
  - (b) for “section 79T of that Act” substitute “ section 40 of the Children and Families (Wales) Measure 2010 ”.

**Commencement Information**

**I14** Sch. 1 para. 14 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Children Act 2004 (c. 31)*

- 15 Amend the Children Act 2004 as follows.

**Commencement Information**

**I15** Sch. 1 para. 15 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 16 In section 29 (information databases: Wales) in subsection (8)(a) for “Part 10A of the Children Act 1989 (c. 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

**Commencement Information**

**I16** Sch. 1 para. 16 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Education Act 2005 (c .18)*

- 17 Amend the Education Act 2005 as follows.

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**I17** Sch. 1 para. 17 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 18 In section 59 (combined reports), for subsection (1)(b) substitute the following—  
 “(b) Part 2 of the Children and Families (Wales) Measure 2010 (child minding and day care for children),”.

**Commencement Information**

**I18** Sch. 1 para. 18 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Education and Inspections Act 2006 (c. 40)*

- 19 Amend section 162 of the Education and Inspections Act 2006 (as amended by the Education (Wales) Measure 2009) as follows.

- 20 In subsection (5A)—  
 (a) after paragraph (a) insert—  
 “(aa) make such provision as appears to them to be appropriate for the purpose of—  
 (i) repealing any reference in a Measure of the National Assembly for Wales to a children's services authority (however expressed), and  
 (ii) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority;”;  
 (b) in paragraph (b), after “paragraph (a)” insert “ or paragraph (aa) ”.

*Childcare Act 2006 (c. 21)*

- 21 Amend the Childcare Act 2006 as follows.

**Commencement Information**

**I19** Sch. 1 para. 21 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 22 In section 30 (interpretation of Part 2) in the definition of “childcare”, for “Part 10A of the Children Act 1989 (c 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

**Commencement Information**

**I20** Sch. 1 para. 22 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 23 In section 75 (disqualification from registration), in subsection (3)(f) after “Part 10A of the Children Act 1989 (c 41)” insert “ or under Part 2 of the Children and Families (Wales) Measure 2010 ”.

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**I21** Sch. 1 para. 23 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 24 In section 101 (provision of information about children: Wales)—
- (a) in subsection (1)(a) for “Part 10A of the Children Act 1989 (c 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”;
  - (b) in subsection (9), in the definition of “child minding” and “day care” for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

**Commencement Information**

**I22** Sch. 1 para. 24 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*National Health Service (Wales) Act 2006 (c. 42)*

- 25 Amend the National Health Service (Wales) Act 2006 as follows.

**Commencement Information**

**I23** Sch. 1 para. 25 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 26 In Schedule 1, paragraph 7A (weighing and measuring of children)—
- (a) in sub-paragraph (3) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”;
  - (b) in sub-paragraph (4) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

**Commencement Information**

**I24** Sch. 1 para. 26 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

*Safeguarding Vulnerable Groups Act 2006 (c. 47)*

- 27 Amend the Safeguarding Vulnerable Groups Act 2006 as follows.

**Commencement Information**

**I25** Sch. 1 para. 27 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

- 28 In Schedule 4—
- (a) in paragraph 1(6)(a) for “section 79D of the Children Act 1989 (c 41)” substitute “ section 21 of the Children and Families (Wales) Measure 2010 ”;
  - (b) in paragraph 1(6)(b), after “eight” insert “ (or such other age as may be substituted by order under section 19(4)(a) of the Children and Families (Wales) Measure 2010 )”;

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- (c) in paragraph 3(2)(c), for “(within the meaning of section 79A of the Children Act 1989 (c 41))” substitute “ (within the meaning of section 19 of the Children and Families (Wales) Measure 2010) ”.

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**Commencement Information**

**I26** Sch. 1 para. 28 in force at 1.4.2011 by S.I. 2010/2582, art. 2, Sch. 1 (with Schs. 2, 3)

SCHEDULE 2

(introduced by section 73)

REPEALS

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**Commencement Information**

**I27** Sch. 2 in force at 1.4.2011 for specified purposes by S.I. 2010/2582, art. 2, Sch. 1 (with art. 3, Sch. 2, Sch. 3)

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<i>Short title and chapter</i>	<i>Extent of repeal</i>
Children Act 1989 (c. 41)	In section 80(1), paragraph (i). In section 80(5), paragraphs (h) and (hh). In section 105, subsection (5A). Part XA. Schedule 9A.
Education Act 2002 (c. 32)	Section 176.
Education Act 2005 (c. 18)	In Schedule 7, paragraphs 5 and 6.
Childcare Act 2006 (c. 21)	In Schedule 2, paragraphs 5 to 18.
Education and Inspections Act 2006 (c. 40)	Section 167.
Education and Skills Act 2008 (c. 25)	Section 158.

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**Changes and effects yet to be applied to :**

- s. 6(1)(g) words substituted by [2022 asc 1 Sch. 4 para. 27](#)