

These notes refer to the Children's Commissioner for Wales Act 2001 (c.18) which received Royal Assent on 11th May 2001

CHILDREN'S COMMISSIONER FOR WALES ACT 2001

EXPLANATORY NOTES

COMMENTARY

Section 1: Application of Part 5 of the 2000 Act

13. **Section 1(1)** and **(2)** substitute a new section 78(1) of the 2000 Act. The effect of the substitution is to extend the application of Part 5 of the 2000 Act to any child receiving services provided by any of the persons listed in the new Schedule 2B, and to other children if they are ordinarily resident in Wales. In a similar way, section 1(3) also extends the Assembly's regulation-making power in section 78(6). Section 78(6) vests the Assembly with the power to provide in regulations that references to a child in the new section 78(1) shall include persons who were such children at any time including a time prior to the commencement of Part 5. In addition, section 1(2) inserts subsections (1A) and (1B) into section 78, giving a power for the Assembly to extend, by regulations, the application of Part 5 to care leavers aged 18 or over who receive post care services from local authorities by virtue of the amendments to the Children Act 1989 introduced by the Children (Leaving Care) Act 2000.