

*These notes refer to the Children Act 2004 (c.31)  
which received Royal Assent on 15th November 2004*

# CHILDREN ACT 2004

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4 – Advisory and Support Services for Family Proceedings**

##### **CAFCASS functions in Wales**

##### *Section 36: Ancillary powers of the Assembly*

155. *Subsection (1)* allows the Assembly to make arrangements with organisations to perform its functions under section 35. This would give the Assembly the option of contracting with some other body to perform the functions on its behalf. *Subsection (8)* makes it clear that such a body could be in the public, private, or voluntary sectors.
156. *Subsection (2)* allows any organisation doing this work to designate individuals to carry out functions of Welsh family proceedings officers.
157. *Subsection (3)* sets conditions of quality and value for money if the Assembly is to make arrangements with another organisation.
158. *Subsection (4)* enables the Assembly to make arrangements with individuals, such as self-employed practitioners, to carry out functions of Welsh family proceedings officers.
159. *Subsections (5) and (6)* allow the Assembly to second staff and provide services to those carrying out the functions, while *subsection (7)* allows it to charge for doing so.