
WELSH STATUTORY INSTRUMENTS

1999 No. 3468

**The Housing Renewal Grants
(Amendment) (Wales) Regulations 1999**

Regulation 19

4. In regulation 19 (treatment of child care charges) —

(a) in paragraph 4(1), for the definition of “relevant child care charges”, substitute —
““relevant child care charges” means those charges for care to which paragraphs (5) and (6) apply, and shall be calculated on a weekly basis in accordance with paragraph (2).”;

(b) after paragraph (4) add —

“(5) This paragraph applies to charges paid by the relevant person for care which is provided —

(a) in the case of any child of the relevant person’s family who is not disabled, in respect of the period beginning on that child’s date of birth and ending on the day preceding the first Monday in September following that child’s fifteenth birthday;

(b) in the case of any child of the relevant person’s family who is disabled, in respect of the period beginning on that child’s date of birth and ending on the day preceding the first Monday in September following that child’s sixteenth birthday.

(6) This paragraph applies to charges paid for care which is provided in accordance with paragraph (7) but not paid —

(a) in respect of the child’s compulsory education; or

(b) by a relevant person to a partner or by a partner to a relevant person in respect of any child for whom either of them is responsible in accordance with regulation 8 (circumstances in which a person is to be treated as responsible or not responsible for another).

(7) The care to which paragraph (6) refers is provided —

(a) by persons registered under section 71 of the Children Act 1989(2) (registration of child minders and persons providing day care for young children);

(b) out of school hours, by a school on school premises or by a local authority —

(i) for a child who is not disabled in respect of the period beginning on his eighth birthday and ending on the day preceding the first Monday in September following his fifteenth birthday, or

(ii) for a child who is disabled in respect of the period beginning on his eighth birthday and ending on the day preceding the first Monday in September following his sixteenth birthday;

(1) Relevant amending instruments are S.I.1997/977 and 1998/808.

(2) 1989 p.41.

- (c) by a child care scheme operating on Crown property where registration under section 71 of the Children Act 1989 is not required; or
 - (d) in schools or establishments which are exempt from registration under section 71 of the Children Act 1989 by virtue of section 71(16) of, and paragraph 3 or 4 of Schedule 9 to, that Act.
- (8) For the purposes of paragraphs (5) to (7) —
- (a) a person shall be treated as a child in respect of the period commencing on his sixteenth birthday and ending on the day preceding the first Monday in September following his sixteenth birthday; and
 - (b) a child is disabled if he is a child —
 - (i) in respect of whom disability living allowance is payable, or has ceased to be payable solely because he is a patient;
 - (ii) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948⁽³⁾ (welfare services); or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a local authority in Scotland; or
 - (iii) who ceased to be registered as blind in such a register within the 28 weeks immediately preceding the date of claim.”.

(3) 1948 p.29.