
WELSH STATUTORY INSTRUMENTS

2001 No. 2787

The Children's Commissioner for Wales Regulations 2001

PART VII

MISCELLANEOUS

Restrictions on exercise of functions exercisable by prescribed persons

17. For the purposes of section 77(2) of the Act there is prescribed the Children and Family Court Advisory and Support Service⁽¹⁾.

Financial years

18. For the purposes of paragraph 6(4) of Schedule 2 to the Act the following periods are specified—

- (a) in relation to the first financial year, the period from 1 March 2001 to 31 March 2002;
- (b) in relation to each subsequent financial year, the period from 1 April to 31 March.

Information

19. Where information required to be provided under paragraph (1) of regulation 3, paragraph (1) (a) of regulation 8 or paragraph (1) of regulation 14 (“the relevant provisions”) consists of information held by means of a computer or in any other form, the Commissioner may require any person having charge of, or otherwise concerned with the operation of, the computer or other device holding that information to make the information available, or produce the information, in a visible and legible form.

20. Where a person provides information to the Commissioner pursuant to paragraph (1)(a) of regulation 8 or attends before the Commissioner pursuant to regulation 9, the Commissioner may, if he or she thinks fit, pay to that person—

- (a) Sums in respect of expenses properly incurred by the person, and
- (b) Allowances by way of compensation for the loss of their time,

in accordance with such scales, and subject to such conditions, as may be determined by the Commissioner.

Application of references to children

21.—(1) For the purposes of Part V of the Act “child” includes a person aged 18 or over who falls within subsection (1B) of section 78 of the Act and references to “child” or “children” in Part V of the Act and in these Regulations shall be construed accordingly.

(1) The Children and Family Court Advisory and Support Service (“CAFCASS”) was established on 1st April 2001 under the Criminal Justice and Court Services Act 2000 (c. 43).

(2) Subject to paragraph (3), references to a child in subsection (1) of section 78 of the Act shall include references to a person (including a child) who was at any time (including a time before the coming into force of this paragraph)—

- (a) A child ordinarily resident in Wales;
- (b) A child to or in respect of whom services were provided in Wales by, or on behalf of or under arrangements with a person mentioned in Schedule 2B to the Act; or
- (c) A child to or in respect of whom regulated children’s services were provided,

and references to “child” or “children” in Part V of the Act and in these Regulations shall be construed accordingly.

(3) References to “child” or “children” construed in accordance with paragraph (1) shall not, in addition, be construed in accordance with paragraph (2) in relation to any time before the coming into force of paragraph (1).

United Nations on the Rights of the Child

22. In exercising his or her functions the Commissioner shall have regard to the United Nations Convention on the Rights of the Child (2) ratified by and subject to such reservations made by the United Kingdom as apply as at the date of making these Regulations.

(2) See Command Paper 1668