
WELSH STATUTORY INSTRUMENTS

2010 No. 1703

**The Child Minding and Day Care
(Disqualification) (Wales) Regulations 2010**

Overseas offences

4.—(1) Subject to regulation 9, a person (“P”) is disqualified if P has been found to have done an act which—

- (a) constituted an offence under the law in force in a country outside the United Kingdom; and
- (b) would constitute an offence requiring disqualification from registration under these Regulations if it had been done in any part of the United Kingdom.

(2) In paragraph (1) P has been “found to have done an act which constituted an offence” if, under the law in force in a country outside the United Kingdom—

- (a) P has been convicted of an offence (whether or not P has been punished for it);
- (b) P has been cautioned in respect of an offence;
- (c) a court exercising jurisdiction under that law has made in respect of an offence a finding equivalent to a finding that P is not guilty by reason of insanity; or
- (d) such a court has made in respect of an offence a finding equivalent to a finding that P is under a disability and did the act charged against P.

(3) A person shall not be disqualified under paragraph (1) in respect of any finding if, under the law in force in the country concerned, such finding has been reversed.

(4) An act punishable under the law in force in a country outside the United Kingdom constitutes an offence under that law for the purposes of this regulation however it is described in that law.