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WELSH STATUTORY INSTRUMENTS

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**2012 No. 3023 (W.307)**

**SOCIAL CARE, WALES**

**The Care Council for Wales (Appointment, Membership and Procedure) (Amendment) Regulations 2012**

<i>Made</i>	- - - -	<i>1 December 2012</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>5 December 2012</i>
<i>Coming into force</i>	- -	<i>1 January 2013</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by paragraph 6 of Schedule 1 to, and section 118A(1) to (3) of, the Care Standards Act 2000<sup>(1)</sup>.

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Care Council for Wales (Appointment, Membership and Procedure) (Amendment) Regulations 2012.

(2) These Regulations come into force on 1 January 2013.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations “the 2001 Regulations” (“*Rheoliadau 2001*”) means the Care Council for Wales (Appointment, Membership and Procedure) Regulations 2001<sup>(2)</sup>.

**Amendment of the 2001 Regulations**

2.—(1) In regulation 1(2) of the 2001 Regulations (citation, commencement and interpretation)—

(a) omit the definition of “CCETSW”;

(b) in the definition of “English Council”, for “General Social Care Council established by section 54 of the Act” substitute “Health and Care Professions Council established by article 3 of the Health and Social Work Professions Order 2001<sup>(3)</sup>”.

(2) In regulation 2 omit paragraph (6)(f).

(3) In regulation 5 of the 2001 Regulations (disqualification from appointment)—

(a) for paragraph (1)(d) substitute the following—

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(1) 2000 c. 14.

(2) S.I. 2001/2136 (W.149).

(3) S.I. 2002/254 as amended by the Health and Social Care Act 2012 (see section 214 in particular which changes the name of the Health Professions Council to the Health and Care Professions Council).

- “he or she is included in either of the lists established under section 2 of the Safeguarding Vulnerable Groups Act 2006(4);”;
- (b) in paragraph (1)(e) omit “or the English Council” and omit “or (as the case may be) the English Council”;
  - (c) in paragraph (1)(f)—
    - (i) after “Scottish Council” insert “or in Part 16 of the register required to be kept by the English Council”;
    - (ii) for “sub-paragraph (d)” substitute “sub-paragraph (e)”;
    - (iii) omit “or the English Council”;
  - (d) in paragraph (3)—
    - (i) after “Northern Ireland” insert “,” and omit “or (as the case may be)”;
    - (ii) after “Scotland” insert “or (as the case may be) the law relating to the register held by the English Council”.
- (4) In regulation 6(1) of the 2001 Regulations (cessation of disqualification) after “in the register” insert “or as regards the register maintained by the English Council on that part of the register”.

*Gwenda Thomas*

Signed by the Deputy Minister for Children  
and Social Services under the authority of the  
Minister for Health and Social Services, one of  
the Welsh Ministers

1 December 2012

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Care Council for Wales (Appointment, Membership and Procedure) Regulations 2001 to deal with changes brought into effect by the coming into force of the Health and Social Care Act 2012 (“the 2012 Act”).

Under the provisions of the 2012 Act, on 1 August 2012 the body previously known as the Health Professions Council (“HPC”) changed its name to the Health and Care Professions Council (“HCPC”). On the same day the functions of the General Social Care Council (“GSCC”) were transferred to it and on 1 October 2012 the GSCC was abolished.

Regulation 2 replaces references to the GSCC with references to the HCPC established by article 3 of the Health and Social Work Professions Order 2001. It omits references to the Central Council for Education and Training in Social Work (“CCETSW”) which has also been abolished. References to the lists held by the Secretary of State under provisions that have now been repealed (the lists established under the Protection of Children Act 1999 and the Protection of Vulnerable Adults list established under Part VII of the Care Standards Act 2000) are removed and replaced with references to the barred lists referred to in section 2 of the Safeguarding Vulnerable Groups Act 2006. Regulation 2(3)(c)(ii) corrects a minor drafting error substituting (e) for (d).

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.