
WELSH STATUTORY INSTRUMENTS

2016 No. 413

**The Social Services and Well-being (Wales) Act
2014 (Consequential Amendments) Regulations 2016**

Children Act 1989 (c. 41)

95. In section 30 (miscellaneous)—

(a) in subsection (2)(1)—

(i) for “determining authority” substitute “Secretary of State”;

(ii) at the end insert “but see subsection (2C)”;

(b) omit subsections (2A) and (2B);

(c) after subsection (2) insert—

“(2C) Any question arising as to whether a child is ordinarily resident—

(a) in the area of a local authority under section 20(2), 21(3) or 29(7) to (9), or

(b) in the area of a local authority in Wales under section 76(2), 77(4) or (5), or 193(3) to (6) of the Social Services and Well-being (Wales) Act 2014,

shall be determined by the local authority and local authority in Wales concerned, or in default of agreement, by the Secretary of State.

(2D) The Secretary of State must consult the Welsh Ministers before making a determination under subsection (2C).”;

(d) in subsection (4) for “appropriate national authority” substitute “Secretary of State”.

Commencement Information

II Reg. 95 in force at 6.4.2016, see [reg. 2\(1\)](#)

(1) Subsection (2) was amended, and subsections (2A) and (2B) were inserted by the Children and Young Persons Act [2008 \(c. 23\)](#), Schedule 3, paragraphs 1 and 21.

Changes to legislation:

There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Section 95.