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WELSH STATUTORY INSTRUMENTS

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**2019 No. 757**

**The Regulated Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2019**

**Exception from scope of care home service**

**4.** In regulation 2—

(a) for subparagraph (1)(e), substitute—

“(e) the provision of accommodation, together with care, where the care provided constitutes child minding within the meaning of section 19(2), or day care within the meaning of section 19(3) of the Children and Families (Wales) Measure 2010(1) but this exception does not apply if—

(i) in any 12 month period there are 28 or more periods of 24 hours during which more than 15 hours of child minding or day care are provided in relation to any one child; or

(ii) the care is provided wholly or mainly for disabled children;”;

(b) in subparagraph (1)(f), for “the accommodation is provided to a disabled child”, substitute “care is provided wholly or mainly for disabled children”;

(c) in subparagraph (1)(i)—

(i) in the introductory words omit “because of their vulnerability or need”;

(ii) in subparagraph (i) of the part of the clause setting out when the exception does not apply, for “the accommodation is provided to a disabled child”, substitute “care is provided wholly or mainly for disabled children unless the service provider has first notified the Welsh Ministers of the arrangements in writing”;

(d) at the end of subparagraph (1)(i), for “.” substitute “.”;

(e) after subparagraph (1)(i) insert the following subparagraph—

“(j) the provision of accommodation, together with care, to a single child or to a sibling group by a person in that person’s own home and where care and accommodation are not provided by that person for a total of more than 28 days in any 12 month period.”;

(f) after paragraph (3) insert—

“(4) In subparagraph (1)(j) of this regulation, “sibling group” includes both brothers and sisters, and half-brothers and half-sisters.”