

*These notes refer to the Social Services and Well-being (Wales)
Act 2014 (c.4) which received Royal Assent on 1 May 2014*

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7 - Other overarching duties: UN Principles and Convention

11. **Section 7** contains two duties. The first is a duty upon persons carrying out functions under the Act in relation to adults with needs for care and support, or carers with needs for support. The duty, in this case, is to have due regard to the United Nations Principles for Older Persons (as adopted by the General Assembly of the United Nations on 16th December 1991).
12. The second is a duty upon persons carrying out functions under the Act in relation to children with needs for care and support, child carers with needs for support and persons in respect of which functions are carried out under Part 6 (looked after and accommodated children). The duty, in this case, is to have due regard to Part 1 of the United Nations Convention on the Rights of the Child (see General Assembly resolution 44/25 of November 1989). The United Nations Convention on the Rights of the Child is to be treated as having effect in the form set out in the Rights of Children and Young Persons (Wales) Measure 2011 (see subsection (3)).
13. The Welsh Ministers are already subject to a duty to have regard to the United Nations Convention on the Rights of the Child, including its Operational Protocols, when exercising their functions: this duty is imposed by the Rights of Children and Young Persons (Wales) Measure 2011. Subsection (4) takes this into account and provides that the duty in subsection (2) does not apply to the Welsh Ministers.