

Status: Point in time view as at 10/02/2010.

Changes to legislation: Children and Families (Wales) Measure 2010 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 1

(introduced by section 72)

MINOR AND CONSEQUENTIAL AMENDMENTS

VALID FROM 01/04/2011

Magistrates' Courts Act 1980 (c. 43)

- 1 Amend the Magistrates' Courts Act 1980 as follows.
- 2 In section 65 (meaning of family proceedings), in subsection (1) after paragraph (nza) insert—
- “(nzb) sections 34 and 43 of the Children and Families (Wales) Measure 2010;”.

VALID FROM 01/04/2011

Senior Courts Act 1981 (c. 54)

- 3 Amend the Senior Courts Act 1981 as follows.
- 4 In Schedule 1 (distribution of business in High Court) after paragraph 3(ea) insert—
- “(eb) proceedings under section 43 of the Children and Families (Wales) Measure 2010;”.

VALID FROM 01/04/2011

Children Act 1989 (c. 41)

- 5 Amend the Children Act 1989 as follows.
- 6 In Section 80 (inspection of children's homes etc by persons authorised by the Welsh Ministers)—
- (a) in subsection (1) omit paragraph (i);
- (b) in subsection (5) omit paragraphs (h) and (hh).
- 7 In section 105 (interpretation)—
- (a) in subsection (1)—
- (i) in the definition of “day care” omit “(except in Part XA)”;
- (ii) in the definition of “hospital” omit “(except in Schedule 9A)”;
- (b) omit subsection (5A).

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VALID FROM 01/04/2011

Water Industry Act 1991 (c. 56)

- 8 Amend the Water Industry Act 1991 as follows.
- 9 In Schedule 4A (premises that are not to be disconnected for non-payment of charges) in paragraph 12(2) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

VALID FROM 01/04/2011

Protection of Children Act 1999 (c. 14)

- 10 Amend the Protection of Children Act 1999 as follows.
- 11 In section 2A (power of certain authorities to refer individuals for inclusion in list of persons considered unsuitable to work with children), in subsection (1)(a) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.
- 12 In section 9 (the Tribunal), in subsection (2)—
- (a) in paragraph (c) omit “or under, or by virtue of, Part XA of that Act”;
 - (b) in paragraph (f), omit “or”;
 - (c) at the end of paragraph (g) insert “ ; or ”;
 - (d) after paragraph (g) insert—
 - “(h) on an appeal under, or by virtue of, Part 2 of the Children and Families (Wales) Measure 2010”.

VALID FROM 01/04/2011

Care Standards Act 2000 (c. 14)

- 13 Amend the Care Standards Act 2000 as follows.
- 14 In section 55(3)(e)—
- (a) for “Assembly” in both places where it appears substitute “ Welsh Assembly Government ”;
 - (b) for “section 79T of that Act” substitute “ section 40 of the Children and Families (Wales) Measure 2010 ”.

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Children Act 2004 (c. 31)

- 15 Amend the Children Act 2004 as follows.

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- 16 In section 29 (information databases: Wales) in subsection (8)(a) for “Part 10A of the Children Act 1989 (c. 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

VALID FROM 01/04/2011

Education Act 2005 (c. 18)

- 17 Amend the Education Act 2005 as follows.
- 18 In section 59 (combined reports), for subsection (1)(b) substitute the following—
“(b) Part 2 of the Children and Families (Wales) Measure 2010 (child minding and day care for children),”.

Education and Inspections Act 2006 (c. 40)

- 19 Amend section 162 of the Education and Inspections Act 2006 (as amended by the Education (Wales) Measure 2009) as follows.
- 20 In subsection (5A)—
(a) after paragraph (a) insert—
“(aa) make such provision as appears to them to be appropriate for the purpose of—
(i) repealing any reference in a Measure of the National Assembly for Wales to a children's services authority (however expressed), and
(ii) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority;”;
- (b) in paragraph (b), after “paragraph (a)” insert “ or paragraph (aa) ”.

VALID FROM 01/04/2011

Childcare Act 2006 (c. 21)

- 21 Amend the Childcare Act 2006 as follows.
- 22 In section 30 (interpretation of Part 2) in the definition of “childcare”, for “Part 10A of the Children Act 1989 (c 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.
- 23 In section 75 (disqualification from registration), in subsection (3)(f) after “Part 10A of the Children Act 1989 (c 41)” insert “ or under Part 2 of the Children and Families (Wales) Measure 2010 ”.
- 24 In section 101 (provision of information about children: Wales)—
(a) in subsection (1)(a) for “Part 10A of the Children Act 1989 (c 41)” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”;

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- (b) in subsection (9), in the definition of “child minding” and “day care” for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

VALID FROM 01/04/2011

National Health Service (Wales) Act 2006 (c. 42)

- 25 Amend the National Health Service (Wales) Act 2006 as follows.
- 26 In Schedule 1, paragraph 7A (weighing and measuring of children)—
- (a) in sub-paragraph (3) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”;
- (b) in sub-paragraph (4) for “Part 10A of the Children Act 1989” substitute “ Part 2 of the Children and Families (Wales) Measure 2010 ”.

VALID FROM 01/04/2011

Safeguarding Vulnerable Groups Act 2006 (c. 47)

- 27 Amend the Safeguarding Vulnerable Groups Act 2006 as follows.
- 28 In Schedule 4—
- (a) in paragraph 1(6)(a) for “section 79D of the Children Act 1989 (c 41)” substitute “ section 21 of the Children and Families (Wales) Measure 2010 ”;
- (b) in paragraph 1(6)(b), after “eight” insert “ (or such other age as may be substituted by order under section 19(4)(a) of the Children and Families (Wales) Measure 2010) ”;
- (c) in paragraph 3(2)(c), for “(within the meaning of section 79A of the Children Act 1989 (c 41))” substitute “ (within the meaning of section 19 of the Children and Families (Wales) Measure 2010) ”.

VALID FROM 01/04/2011

SCHEDULE 2

(introduced by section 73)

REPEALS

Short title and chapter

Children Act 1989 (c. 41)

Extent of repeal

In section 80(1), paragraph (i).
 In section 80(5), paragraphs (h) and (hh).
 In section 105, subsection (5A).
 Part XA.
 Schedule 9A.

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Education Act 2002 (c. 32)	Section 176.
Education Act 2005 (c. 18)	In Schedule 7, paragraphs 5 and 6.
Childcare Act 2006 (c. 21)	In Schedule 2, paragraphs 5 to 18.
Education and Inspections Act 2006 (c. 40)	Section 167.
Education and Skills Act 2008 (c. 25)	Section 158.

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