



# Children and Families (Wales) Measure 2010

## 2010 nawm 1

### PART 2

#### CHILD MINDING AND DAY CARE FOR CHILDREN

##### *Emergency protection*

#### **34 Protection of children in an emergency: cancellation of registration**

- (1) In relation to a person registered under this Part, the Welsh Ministers may apply to a justice of the peace for an order cancelling the person's registration.
- (2) If it appears to the justice that a child for whom child minding or day care is being, or may be, provided by that person is suffering or is likely to suffer significant harm, the justice may make the order.
- (3) An application under subsection (1) may be made without notice.
- (4) An order under subsection (2)—
  - (a) must be made in writing, and
  - (b) has effect from the time when it is made.
- (5) If an order is made under subsection (2), the Welsh Ministers must serve on the registered person as soon as is reasonably practicable after the making of the order—
  - (a) a copy of the order,
  - (b) a copy of any written statement in support of the application for the order, and
  - (c) notice of any right of appeal conferred by section 37(2).
- (6) The documents mentioned in subsection (5) may be served on the registered person by—
  - (a) delivering them to the person, or
  - (b) sending them by post to the person's last known address.

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*Status: This is the original version (as it was originally enacted).*

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- (7) If an order is made under subsection (2), the Welsh Ministers must, as soon as reasonably possible after the making of the order, notify the local authority in whose area the person concerned acts or acted as a child minder, or provides or provided day care, of the making of the order.
- (8) For the purposes of this section and section 35, “harm” has the same meaning as in the Children Act 1989 (c. 41) and the question of whether harm is significant is to be determined in accordance with section 31(10) of that Act.