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WELSH STATUTORY INSTRUMENTS

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**2006 No. 885 (W.85) (C.23)**

**CHILDREN AND YOUNG PERSONS, WALES**

The Children Act 2004 (Commencement  
No. 6) (Wales) Order 2006

Made - - - - 21 March 2006

The National Assembly for Wales, in exercise of the powers conferred upon it by section 67(3), (7) (a),(c),(e) and (i) and Schedule 5 of the Children Act 2004 (1) hereby makes the following Order:

**Name, interpretation and application**

- 1.—(1) This Order is called the Children Act 2004 (Commencement No. 6) (Wales) Order 2006.  
(2) In this Order “the Act” (“*y Ddeddf*”) means the Children Act 2004.  
(3) This Order applies in relation to Wales.

**Appointed Day**

2.—(1) 31 March 2006 is the appointed day for the coming into force of section 26 of the Act (Children and young people’s plans: Wales).

(2) 1 April 2006 is the appointed day for the coming into force of the following provisions of the Act—

- (a) Section 28 (1)(a) to (c) and (i), (2) (so far as relating to the persons and bodies referred to in subsection (1)(a) to (c) and (i)), (3) and (4) (Arrangements to safeguard and promote welfare: Wales);
- (b) Section 44 (Private fostering: amendments to notification scheme);
- (c) Section 48 and Schedule 4 (save for paragraph (5) of that Schedule) (Child minding and day care);
- (d) Section 53 (Ascertaining children’s wishes);
- (e) Section 54 (Information about individual children);
- (f) Section 55 (Social services committees);
- (g) Section 61 (Children’s Commissioner for Wales: powers of entry); and

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- (h) Parts 1 (in so far as it relates to section 5 of the Adoption and Children Act 2002<sup>(2)</sup>), 2 and 4 of Schedule 5 (Repeals).
- (3) 1 September 2006 is the appointed day for the coming into force of the following provisions of the Act—
  - (a) Section 27 (Responsibility for functions under sections 25 and 26); and
  - (b) Part 1 (in so far as not already in force, but excepting the provisions relating to paragraph 1A of Schedule 2 to the Children Act 1989<sup>(3)</sup>) of Schedule 5 (Repeals).
- (4) 1 October 2006 is the appointed day for the coming into force of the following provisions of the Act—
  - (a) Section 30 (Inspection of functions under Part 3 of the Act);
  - (b) Section 32 (Functions and procedures of LSCBs<sup>(4)</sup> in Wales);
  - (c) Section 33 (Funding of LSCBs in Wales) ;
  - (d) Section 34 (LSCBs in Wales: supplementary);
  - (e) Section 50 (Intervention);
  - (f) Section 52 (Duty of local authorities to promote educational achievement); and
  - (g) Section 56 (Social services functions).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(5)</sup>

21 March 2006

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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(2) 2002 (c. 38).  
(3) 1989 (c. 41).  
(4) Local Safeguarding Children Boards.  
(5) 1998 (c. 38).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made by the National Assembly for Wales, under the Children Act 2004<sup>(6)</sup> (“the Act”) and applies to Wales.

The Order brings into force on 31 March 2006, section 26 of the Act. Sections 28(1)(a) to (c) and (i), (2) (so far as relating to the persons and bodies referred to in subsection (1)(a) to (c) and (i)), (3) and (4), 44, 48, 53, 54, 55 and 61, Schedule 4 (save for paragraph (5) of that Schedule) and parts 1 (in so far as it relates to section 5 of the Adoption and Children Act 2002<sup>(7)</sup>), 2 and 4 of Schedule 5 come into force on 1 April 2006. Section 27 and part 1 (in so far as not already in force, and except in relation to paragraph 1A of Schedule 2 to the Children Act 1989<sup>(8)</sup>) of Schedule 5 come into force on 1 September 2006. Sections 30, 32, 33, 34, 50, 52 and 56 come into force on 1 October 2006.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by commencement order made before the date of this Order—

Provision	Date of Commencement	S.I. No.
Section 10 as to England	1 April 2005	2005/394 (C.18)
Section 11 as to England (partially)	1 March 2005	2005/394 (C.18)
Section 11 as to England (remainder)	1 October 2005	2005/394 (C.18)
Section 13 as to England	1 March 2005	2005/394 (C.18)
Section 14 as to England	1 March 2005	2005/394 (C.18)
Section 16 as to England	1 March 2005	2005/394 (C.18)
Section 17 as to England	1 March 2005	2005/394 (C.18)
Section 18 as to England	1 April 2005	2005/394 (C.18)
Section 20 as to England	1 March 2005	2005/394 (C.18)
Section 21 as to England	1 March 2005	2005/394 (C.18)
Section 22 as to England	1 March 2005	2005/394 (C.18)
Section 23 as to England	1 March 2005	2005/394 (C.18)
Section 24 as to England	1 April 2005	2005/394 (C.18)
Section 35 as to Wales	1 April 2005	2005/700 (W.59) (C.30)

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<sup>(6)</sup> 2004 (c. 31).

<sup>(7)</sup> 2002 (c. 38).

<sup>(8)</sup> 1989 (c. 41).

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Provision	Date of Commencement	S.I. No.
Section 36 as to Wales	1 April 2005	2005/700 (W.59) (C.30)
Section 37 as to Wales	1 April 2005	2005/700 (W.59) (C.30)
Section 38 as to Wales	1 April 2005	2005/700 (W.59) (C.30)
Section 39 as to Wales	1 April 2005	2005/700(W.59) (C.30)
Section 40 as to Wales	1 April 2005	2005/700 (W.59) (C.30)
Section 41 as to Wales	1 April 2005	2005/700 (W.59) (C.30)
Section 42 as to Wales	16 March 2005	2005/700 (W.59) (C.30)
Section 43 as to Wales	16 March 2005	2005/700 (W.59) (C.30)
Section 44 (partially) as to England	1 April 2005	2005/394 (C.18)
Section 44 (remainder) as to England	1 July 2005	2005/394 (C.18)
Section 48 (partially) as to England	1 March 2005	2005/394 (C.18)
Section 48 (remainder) as to England	3 October 2005	2005/2298 (C.97)
Section 50 as to England	1 March 2005	2005/394 (C.18)
Section 51 as to England	1 April 2005	2005/394 (C.18)
Section 52 as to England	1 July 2005	2005/394 (C.18)
Section 53 as to England	1 March 2005	2005/394 (C.18)
Section 54 as to England	1 March 2005	2005/394 (C.18)
Section 55 as to England	1 April 2005	2005/394 (C.18)
Section 57 as to England	1 March 2005	2005/394 (C.18)
Section 57 as to Wales	30 December 2005	2005/3363 (W.260) (C.143)
Section 60	1 March 2005	2005/394 (C.18)
Section 62	12 April 2005	2005/847 (C.35)
Schedule 3 as to Wales	1 April 2005	2005/700(W.59) (C.30)
Schedule 4, paragraphs 1 (partially), 2, 5,7,8, and 9 as to England	1 March 2005	2005/394 (C.18)
Schedule 4, paragraphs 1 (remainder), 3, 4 and 6 as to England	3 October 2005	2005/2298 (C.97)
Schedule 5, Part 1 and 2 (partially) as to England	1 March 2005	2005/394 (C.18)
Schedule 5, Part 2 (remainder) as to England	3 October 2005	2005/2298 (C.97)

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Provision	Date of Commencement	S.I. No.
Schedule 5, Part 3 and 4 as to England	1 April 2005	<a href="#">2005/394 (C.18)</a>
Schedule 5, Part 6	1 March 2005	<a href="#">2005/394 (C.18)</a>