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WELSH STATUTORY INSTRUMENTS

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**2012 No. 2453 (W.267) (C.96)**

**CHILDREN AND YOUNG PERSONS, WALES**

The Children and Families (Wales) Measure  
2010 (Commencement No. 5) Order 2012

Made - - - - 22 September 2012

The Welsh Ministers, in exercise of the powers conferred by section 75(3) of the Children and Families (Wales) Measure 2010<sup>(1)</sup>, make the following Order:

**Title and interpretation**

1.—(1) The title of this Order is the Children and Families (Wales) Measure 2010 (Commencement No. 5) Order 2012.

(2) In this Order—

“the Measure” (“*y Mesur*”) means the Children and Families (Wales) Measure 2010.

**Appointed day**

2. 1 November 2012 is the appointed day for the coming into force of section 11 of the Measure (local authority duties in respect of play opportunities for children), with the exception of subsections (3) and (4).

*Gwenda Thomas*  
Deputy Minister for Children and Social  
Services under authority of the Minister for  
Health and Social Services, one of the Welsh  
Ministers

22 September 2012

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

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

This is the fifth commencement order made by the Welsh Ministers under the Children and Families (Wales) Measure 2010 (“the Measure”).

This Order brings into effect section 11 of the Measure with the exception of subsections (3) and (4). Section 11(1) requires a local authority to assess the sufficiency of play opportunities for children within its area.

Section 11(2) provides for the Welsh Ministers by way of regulations to make provision for the matters which a local authority must take into account when assessing the sufficiency of play opportunities within its area; the date by which the first assessment should be carried out; the frequency of assessments; the review of assessments; and the publication of assessments.

Section 11(5) requires local authorities to have regard to the needs of children who are disabled and to the needs of children of different ages.

Section 11(6) provides definitions of “play” and “sufficient”.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Children and Families (Wales) Measure 2010 have been brought into force by Commencement Orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 57	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Section 58(1)–(5), (6)(a), (7)–(14)	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 59–65	1 September 2010 (in relation to specified local authority areas)	S.I. 2010/1699 (W.160) (C.87)
Sections 19–56	1 April 2011	S.I. 2010/2582 (W.216) (C.123)
Section 72 and Schedule 1 paragraphs 1–18, paragraphs 21–28	1 April 2011 (W.216)	S.I. 2010/2582 (C.123)
Section 73 and Schedule 2 (in so far as they relate to the Children Act 1989, the Education Act 2002 and the Childcare Act 2006)	1 April 2011	S.I. 2010/2582 (W.216) (C.123)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2 (in so far as it applies to the Welsh authorities)	10 January 2011	S.I. 2010/2994 (W.248) (C.134)
Sections 4, 5, 6, 17, 18	10 January 2011	S.I. 2010/2994 (W.248) (C.134)
Sections 58(2), 60(1), 62(2), and 63 in so far as they are not already in force	27 January 2012	S.I. 2012/191 (W.30) (C.5)
Part 3 (in so far as it is not already in force) except paragraphs (b), (c), and (d) of section 58(6)	28 February 2012 (in relation to the specified local authority areas)	S.I. 2012/191 (W.30) (C.5)
Part 3 (in so far as it is not already in force) except paragraphs (b), (c), and (d) of section 58(6)	31 March 2012 (in relation to the specified local authority areas)	S.I. 2012/191 (W.30) (C.5)
Section 12	31 January 2012	S.I. 2012/191 (W.30) (C.5)