
WELSH STATUTORY INSTRUMENTS

2017 No. 1326

**The Regulation and Inspection of Social Care
(Wales) Act 2016 (Commencement No. 5, Savings,
Transitory and Transitional Provisions) Order 2017**

Savings during the transition period

6.—(1) During the transition period a CSA provider's registration under the 2000 Act will continue and, notwithstanding any consequential amendments to the 2000 Act made by Part 1 of Schedule 3 to the Act which would otherwise exclude their application, the Part 2 provisions will continue to apply to—

- (a) a CSA provider,
- (b) the Welsh Ministers,
- (c) the First-tier Tribunal,
- (d) a Magistrates' Court,

as if those consequential amendments had not been made.

(2) Section 16 of the Interpretation Act 1978⁽¹⁾ (general savings) applies in respect of the disapplication of the provisions of the 2000 Act to relevant establishments or agencies as it would if Part 2 of the 2000 Act were repealed.

(3) Where a CSA provider's registration is subject to conditions immediately before the principal appointed day, those conditions will apply to the registration during the transition period.

(4) The Part 2 provisions are—

- (a) sections 14, 14A, 15, 17(4) to (6), 18, 19(3) to (6), 20A, 20B, 21, 22B, 23(1), 23(4), 24, 24A, 25(2), 26, 28, 29, 30, 30A, 31, 32, 36, 37 of the 2000 Act;
- (b) such of the following regulations as apply to the establishment or agency in respect of which the CSA provider's registration is maintained—
 - (i) the Care Homes (Wales) Regulations 2002⁽²⁾,
 - (ii) the Children's Homes (Wales) Regulations 2002⁽³⁾,
 - (iii) the Registration of Social Care and Independent Health Care (Wales) Regulations 2002⁽⁴⁾,
 - (iv) the Residential Family Centres (Wales) Regulations 2003⁽⁵⁾,
 - (v) the Domiciliary Care Agencies (Wales) Regulations 2004⁽⁶⁾,
 - (vi) regulation 9(1) and regulation 12 of the Children (Secure Accommodation) (Wales) Regulations 2015⁽⁷⁾,

(1) 1978 c. 30.
(2) S.I. 2002/324 (W. 37).
(3) S.I. 2002/327 (W. 40).
(4) S.I. 2002/919 (W. 107).
(5) S.I. 2003/781 (W. 92).
(6) S.I. 2004/219 (W. 23).
(7) S.I. 2015/1988 (W. 298).

Status: This is the original version (as it was originally made).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

- (vii) the Care Standards Act 2000 (Notification) (Wales) Regulations 2011⁽⁸⁾;
 - (c) such of the National Minimum Standards made pursuant to section 23(1) of the 2000 Act as apply to the establishment or agency in question.
- (5) Reference to the regulations in paragraph (4)(b) is to the regulations as amended immediately before the principal appointed day⁽⁹⁾.

⁽⁸⁾ S.I. 2011/105 (W. 24).

⁽⁹⁾ The Care Homes (Wales) Regulations 2002 have been amended by S.I. 2003/947 (W. 128), S.I. 2003/1004 (W. 144), S.I. 2004/1314 (W. 159), S.I. 2006/3251 (W. 295) and S.I. 2011/1016 (W. 153). The Children's Homes (Wales) Regulations 2002 have been amended by S.I. 2006/3251 (W. 295), S.I. 2007/311 (W. 28) and S.I. 2017/51 (W. 22). The Domiciliary Care Agencies (Wales) Regulations 2004 have been amended by S.I. 2006/3251 (W. 295) and S.I. 2013/225 (W. 22).