
WELSH STATUTORY INSTRUMENTS

2020 No. 955 (W. 213)

NATIONAL HEALTH SERVICE, WALES

**The Healthy Start Scheme (Description of Healthy Start Food)
(Wales) (Miscellaneous Amendments) Regulations 2020**

<i>Made</i>	- - - -	<i>7 September 2020</i>
<i>Laid before Senedd Cymru</i>		<i>8 September 2020</i>
<i>Coming into force</i>	- -	<i>1 October 2020</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 13(1) and (6) of the Social Security Act 1988⁽¹⁾ and sections 47(1) and 203(9) and (10) of the National Health Service (Wales) Act 2006⁽²⁾.

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Healthy Start Scheme (Description of Healthy Start Food) (Wales) (Miscellaneous Amendments) Regulations 2020.

(2) These Regulations come into force on 1 October 2020.

(3) In these Regulations:

“the principal Regulations” (“*y prif Reoliadau*”) means the Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006⁽³⁾;

“the 2004 Regulations” (“*Rheoliadau 2004*”) means the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004⁽⁴⁾.

Amendment of the principal Regulations

2.—(1) The principal Regulations are amended as follows.

(2) In regulation 3—

(a) for “tablets or vitamin drops” substitute “products”; and

(1) 1988 c. 7. Section 13 of the Social Security Act 1988 was substituted by section 185(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43). By virtue of section 162 of and paragraph 30 of Schedule 11 of the Government of Wales Act 2006 (c. 32), functions conferred on the National Assembly for Wales by section 13(1) and (6) of the Social Security Act 1988 are exercisable by the Welsh Ministers.

(2) 2006 c. 42. See section 206 for the definition of “regulations”.

(3) S.I. 2006/3108 (W. 287) as amended by S.I. 2011/415 (W. 58).

(4) S.I. 2004/478 (W. 48); there are other amending instruments but none is relevant to these Regulations.

- (b) after “containing vitamins” insert “of a form and quantity”.
- (3) In the Schedule—
- (a) in column 1 (category of food) of the table, in the third entry, for “Fresh or frozen” substitute “Fresh, frozen or canned”;
- (b) in column 2 (qualification) of the table, for the third entry, substitute—
- “Fresh, frozen or canned fruit and vegetables including but not limited to loose, pre-packed, whole, sliced, chopped, or mixed fruit or vegetables, fruit in fruit juice, or fruit or vegetables in water, but not fruit or vegetables to which fat, salt, sugar, flavouring or any other ingredients have been added.”; and
- (c) at the end of the table insert—

<i>“Pulses</i>	Fresh, dried or canned pulses, including but not limited to lentils, beans, peas and chickpeas but not pulses to which fat, salt, sugar, flavouring or any other ingredients have been added.”
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Amendment to the 2004 Regulations

3. In Schedule 4 to the 2004 Regulations (list of prescribed medical certificates)—
- (a) in column 1 (description of medical certificate) of the table, omit the second entry;
- (b) in column 2 (enactment under or for the purpose of which certificate required) of the table, omit “Section 13 of the Social Security Act 1988 (Schemes for distribution etc of welfare foods)”.

7 September 2020

Vaughan Gething
Minister for Health and Social Services, one of
the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Healthy Start Scheme (Description of Healthy Start Food) (Wales) Regulations 2006 (“the principal Regulations”). These Regulations also amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004.

Regulation 2 of the principal Regulations provides that Healthy Start food, in relation to the operation of the Healthy Start scheme in Wales, is as set out in the Schedule to those Regulations. Regulation 2(3) of these Regulations expands the definition of Healthy Start food to include canned fruit and vegetables and pulses.

Regulation 3 of the principal Regulations provides the description of Healthy Start vitamins that will apply in relation to the operation of the Healthy Start scheme in Wales. Regulation 2(2) of these Regulations makes amendments to remove the restriction that Healthy Start vitamins must be provided in tablet or drop form only, with the effect that they may be produced in any form.

Regulation 3 of these Regulations amend the National Health Service (General Medical Services Contracts) (Wales) Regulations 2004 to remove the requirement to produce a certificate confirming pregnancy for the purposes of obtaining welfare food.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.