
WELSH STATUTORY INSTRUMENTS

2022 No. 1188

**The Child Minding and Day Care (Disqualification)
(No. 2) (Wales) Regulations 2022**

Waivers

9.—(1) Subject to paragraph (2), where a person (“P”) would be disqualified by virtue of regulation 3, 4, 6(1) and (3), or 8 but has disclosed to the Welsh Ministers the facts which would otherwise cause P to be disqualified, and the Welsh Ministers have given written consent and have not withdrawn that consent, then the person is not, by reason of the facts so disclosed, to be regarded as disqualified for the purpose of these Regulations.

(2) In relation to a person who would be disqualified by virtue of regulation 3(4), this regulation does not apply where a court has made an order under section 28(4), 29(4) or 29A(2) of the 2000 Act⁽¹⁾.

(3) A person is not disqualified if, prior to 1 April 2002, the person—

- (a) disclosed the facts which would disqualify the person under these Regulations to an appropriate local authority under paragraph 2 of Schedule 9 to the 1989 Act⁽²⁾, and
- (b) obtained the written consent of that local authority.

Commencement Information

II [Reg. 9](#) in force at 6.12.2022 in accordance with [reg. 1\(2\)](#)

(1) Sections 28(4), 29(4) and 29A(2) were repealed by section 63(2) of, and Schedule 10 to, the Safeguarding Vulnerable Groups Act 2006, subject to savings specified in article 5 of [S.I. 2012/2231](#).

(2) Schedule 9 was repealed in relation to England and Wales by section 79(5) of the Care Standards Act 2000 (c. 14) and in relation to Scotland by section 80 of, and Schedule 4 to, the Regulation of Care (Scotland) Act 2001 (asp 8).

Changes to legislation:

There are currently no known outstanding effects for the The Child Minding and Day Care (Disqualification) (No. 2) (Wales) Regulations 2022, Section 9.