

Draft Regulations laid before the National Assembly for Wales under section 187(2)(f) of the Regulation and Inspection of Social Care (Wales) Act 2016, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2019 No. (W.)

SOCIAL CARE, WALES

**The Regulated Advocacy Services
(Service Providers and Responsible
Individuals) (Wales) (Amendment)
Regulations 2019**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make minor amendments to the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 (S.I. 2019/165 (W. 41)) (“the Advocacy Services Regulations”) in order to correct errors in that instrument.

Regulation 6(4)(c) of the Advocacy Services Regulations provides that whenever the responsible individual is unable to fulfil their duties, the service provider must ensure that there are arrangements in place for the compliance of the service with the requirements of the regulations in Parts 3 to 15. Regulation 2(a) of these Regulations amends regulation 6(4)(c) of the Advocacy Services Regulations to require the service provider to ensure that there are also arrangements in place for the compliance of the service with the requirements of the regulations in Part 2 in such circumstances.

Regulation 7(3)(c) of the Advocacy Services Regulations provides that whenever a service provider who is an individual is absent, that individual must ensure that there are arrangements in place for the compliance of the service with the requirements of the regulations in Parts 3 to 15. Regulation 2(b) of these Regulations amends regulation 7(3)(c) of the Advocacy Services Regulations to require the individual to ensure that there are also arrangements in

place for the compliance of the service with the requirements of the regulations in Part 2 in such circumstances.

Regulation 2(c) amends regulation 15(2)(d) of the Advocacy Services Regulations to substitute the reference to “commissioning authorities” with “service commissioners”.

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.

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**The Regulated Advocacy Services
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Individuals) (Wales) (Amendment)
Regulations 2019**

Made

Coming into force

1 July 2019

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by sections 27 and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016⁽¹⁾.

A draft of these Regulations was laid before and approved by resolution of the National Assembly for Wales in accordance with section 187(2)(f) of that Act.

Title and commencement

1. The title of these Regulations is the Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) (Amendment) Regulations 2019 and they come into force on 1 July 2019.

⁽¹⁾ 2016 anaw 2.

**Amendments to the Regulated Advocacy Services
(Service Providers and Responsible Individuals)
(Wales) Regulations 2019**

2. The Regulated Advocacy Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019⁽¹⁾ are amended as follows—

- (a) in regulation 6(4)(c), for “Parts 3 to 15” substitute “Parts 2 to 15”;
- (b) in regulation 7(3)(c), for “Parts 3 to 15” substitute “Parts 2 to 15”;
- (c) in regulation 15(2)(d), for “commissioning authorities” substitute “service commissioners”.

Name

Deputy Minister for Health and Social Services, under authority of the Minister for Health and Social Services, one of the Welsh Ministers

Date

⁽¹⁾ S.I. 2019/165 (W. 41).