

Constitutional and Legislative Affairs Committee
Statutory Instruments with Clear Reports
23 March 2015

CLA497 – The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015

Procedure: Negative

These Regulations revoke and replace the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005 (“the 2005 Regulations”), as amended. The provisions of the 2005 Regulations are re-enacted but the references to the General Teaching Council for Wales have been removed and replaced with references to the Education Workforce Council. It also revokes and replaces the Education (Induction Arrangements for School Teachers) (Wales) (Amendment) Regulations 2012 and Regulation 10 of the School Teachers’ Qualifications (Wales) Regulations 2012.

CLA499 – The Community Health Councils (Constitution, Membership and Procedures) (Wales) (Amendment) Regulations 2015

Procedure: Negative

These Regulations amend the Community Health Councils (Constitution, Membership and procedures) (Wales) Regulations 2010 in relation to the constitution, membership and procedures of Community Health Councils and the Community Health Councils Board. The amendments will provide for:–

- the CHC Board in Wales to set standards to which the seven CHCs must have regard;
- the appointment of the CHC Board Chair and two other CHC Board members through the public appointments process;

- a change of title for CHC Board Director;
- for the CHC Board to monitor and manage the performance of CHCs and their members.
- Welsh Ministers to be able to provide indemnity for CHCs and the CHC Board;
- Local authorities to have the option of appointing persons who are not their members to a CHC, provided that at least one appointment is from within its membership;
- Welsh Ministers to appoint co-opted members with voting rights to a CHC, on the advice of the CHC Board;
- each member and co-opted member of a CHC to give a written undertaking to observe a code of conduct;
- persons to be employed as officers of more than one CHC;
- a change to the appointment term of CHC Chairs from two years to three years.

CLA500 – The Community Health Councils (Establishment, Transfer of Functions and Abolition) (Wales) Order 2015

Procedure: Negative

This order provides for the dissolution of the Brecknock and Radnor and Montgomeryshire Community Health Councils (“the dissolved councils”) and establishes, with effect from 1 April 2015, a single Powys Community Health Council in their place.

It also provides for the transfer of the functions, rights and liabilities of the dissolved councils to the Powys Community Health Council.

CLA501 – The National Health Service (Dental Charges) (Wales) (Amendment) Regulations 2015

Procedure: Negative

These Regulations increase the current dental charge bands by 2.3% (rounded up to the nearest 50p) spread across Bands 1, 2 and 3 and an urgent course of treatment.

CLA502 – The Non-Domestic Rating (Waterways) (Wales) Regulations 2015

Procedure: Negative

These Regulations provide that certain property occupied or, if unoccupied, owned, by Canal & River Trust is to be treated as a single hereditament for the purposes of non-domestic rating. It also provides that Canal & River Trust is to be treated as the occupier of the hereditament and that it is to be treated as situated in the area of Wrexham County Borough Council.

Canal & River Trust is a company limited by guarantee formed and registered under the Companies Act 2006 (c. 46). The statutory functions of the British Waterways Board, exercisable in relation to England and Wales, were transferred to Canal & River Trust by the British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659). Certain property, rights and liabilities of the British Waterways Board were transferred to Canal & River Trust by the British Waterways Board Transfer Scheme 2012 made under the Public Bodies Act 2011.

CLA504 – The Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2015

Procedure: Negative

This Order revokes the Fire and Rescue Authorities (Performance Indicators) (Wales) Order 2011 (S.I. 2011/558 (W. 80)) and specifies for Wales a new set of statutory performance indicators, by reference to which the performance of fire and rescue authorities in exercising their functions will be measured. The Order will have effect from 1 April 2015.

CLA505 – The National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2015

Procedure: Negative

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1997 by uprating, with effect from 1 April 2015, the value of vouchers issued towards the cost sight tests and the supply and replacement of glasses and contact lenses, to increase the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances and to increase the value of vouchers issued towards the cost of the repair and replacement of optical appliances.

CLA510 – The National Health Service (Welfare Reform Consequential Amendments) (Wales) Regulations 2015

Procedure: Negative

These Regulations amend:-

- (1) the National Health Service (General Ophthalmic Services) Regulations 1986;
- (2) the National Health Service (Optical Charges and Payments) Regulations 1997;and
- (3) the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007.

The effect of these amendments is to allow for Universal Credit (UC) to be accepted as a qualifying benefit for the purposes of full or part remission from NHS charges and passport all UC claimants for the period from 1 April 2014 to 31 March 2016.

This allows for those in receipt of Universal Credit to qualify for free NHS dental treatment, a free NHS sight test and help towards the cost of glasses and help with travel costs and to submit a claim under the NHS Low Income Scheme for help with health costs.

CLA511 – The Non-Domestic Rating (Demand Notices) (Wales) (Amendment) Regulations 2015

Procedure: Negative

The Non-Domestic Rating (Demand Notices) (Wales) Regulations 1993 (“the 1993 Regulations”) provide for the contents of rate demand notices, which are issued by billing authorities (county councils and county borough councils) in Wales, and for the information to be supplied when such notices are served by them.

These Regulations, which apply in relation to Wales, amend the 1993 Regulations by replacing references to the Non-Domestic Rating (Small Business Relief) (Wales) Order 2008 with references to the Non-Domestic Rating (Small Business Relief) (Wales) Order 2015. These Regulations apply in relation to rates payable after 31 March 2015.

CLA513 – The National Assistance (Sums for Personal Requirements) (Assessment of Resources) and Social Care Charges (Wales) (Miscellaneous Amendments) Regulations 2015

Procedure: Negative

The Regulations relate to the financial assessment of individuals for charging for both residential and non-residential care and will:-

Residential Care and Support

- increase the weekly sum of money that local authorities must enable a resident in care to retain to spend on personal items from £25.00 to £25.50 per week;

Non –residential Care and Support

- increase the maximum amount a local authority may determine to be a reasonable charge for the provision of a service or combination of care and support, and the maximum amount a local authority may determine to be a reasonable amount for a contribution or reimbursement for receiving a direct payment, from £55.00 per week to £60.00 per week.

CLA506 – The Homelessness (Review Procedure) (Wales) Regulations 2015

Procedure: Affirmative

The Regulations make provision about the procedure to be followed under section 85 of the Housing (Wales) Act 2014.

The Regulations make provision including about requests for a review and notification of review procedure (Regulation 2), officer making decision on review (Regulation 3), initial procedure where the original decision was made under the Decisions on Referral Order (Regulation 4), procedure on review (Regulation 5), notification of the decision on review (Regulation 6), and application of the Decision on Referrals Order (Regulation 7).

CLA507 – The Homelessness (Suitability of Accommodation) (Wales) Order 2015

Procedure: Affirmative

When discharging a housing function to secure that accommodation is available for an applicant who is homeless, or threatened with homelessness under Part 2 of the Housing Act 2014 (the Act), a local housing authority must ensure that the accommodation is suitable.

Section 59 of the Act specifies certain matters to be taken into account when determining suitability for the purposes of Part 2 of the Act.

Under section 59(3) of the Act, the Welsh Ministers have power to specify the:–

- (i) circumstances in which accommodation is, or is not, to be regarded as suitable for a person; and
- (ii) matters an authority must take into account, or disregard, in determining whether accommodation is suitable.

CLA509 – The Homelessness (Intentionality) (Special Categories) (Wales) Regulations 2015

Procedure: Affirmative

Section 78(2) of the Housing (Wales) Act 2014 provides that when assessing an applicant for help with homelessness, a local housing authority may not have regard to whether or not an applicant has become homeless intentionally for the purposes of sections 68 and 75, unless it has decided to have regard to one or more of the categories of applicants specified by the Welsh Ministers.

Section 78(1) places an obligation on Welsh Ministers to make regulations to specify such categories.

In these Regulations, the Welsh Ministers specify a list of categories of applicants for the purposes of section 78.