

Draft Regulations laid before Senedd Cymru under section 94(1) of the Coronavirus Act 2020, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2021 No. (W.)

SOCIAL CARE, WALES

**The Coronavirus Act 2020 (Early
Expiry: Local Authority Care and
Support) (Wales) Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the expiry of specified provisions in the Coronavirus Act 2020 (“the Act”) which modify certain duties of local authorities in relation to adult social care under Parts 3 and 4 of the Social Services and Well-being (Wales) Act 2014.

Regulation 2 provides for the early expiry of Part 2 of Schedule 12 to, and section 15 of, the Act (so far as it relates to that Part). The operation of these provisions was suspended by the Coronavirus Act 2020 (Suspension: Local Authority Care and Support) (Wales) Regulations 2021 (S.I. 2021/316 (W. 81)).

The expiry of the provisions specified in regulation 2 take effect subject to section 89(2)(r) of the Act which excepts certain paragraphs of Schedule 12 (and section 15 so far as relating to those paragraphs) from expiry.

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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Support) (Wales) Regulations 2021**

Made

Coming into force

31 July 2021

The Welsh Ministers, in exercise of the powers conferred by section 90(1) of the Coronavirus Act 2020(1) (“the Act”), make the following Regulations.

The Welsh Ministers are satisfied that the conditions specified in section 90(7) of the Act are satisfied in relation to the provisions expired by these Regulations.

In accordance with section 94(1) of the Act, a draft of this instrument has been laid before, and approved by resolution of, Senedd Cymru(2).

Title, commencement and interpretation

1.—(1) The title of these Regulations is the Coronavirus Act 2020 (Early Expiry: Local Authority Care and Support) (Wales) Regulations 2021.

(2) These Regulations come into force on 31 July 2021.

(1) 2020 c. 7 (“the Act”). The powers conferred on a relevant national authority by section 90(1) of the Act are exercisable in relation to Wales by the Welsh Ministers; *see* section 90(5) and (7) for the definition of “relevant national authority”.

(2) Any reference in the Act to the National Assembly for Wales now has effect as a reference to Senedd Cymru by virtue of section 150A(2) of the Government of Wales Act 2006 (c. 32).

(3) In these Regulations, “the Act” means the Coronavirus Act 2020.

Early expiry of provisions of the Act that apply in Wales

2. The following provisions of the Act expire on 1 August 2021—

- (a) Part 2 of Schedule 12 (powers and duties of local authorities in Wales)(1);
- (b) section 15 (local authority care and support), so far as it relates to Part 2 of Schedule 12.

Name

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

Date

(1) The expiry of Part 2 of Schedule 12 (and section 15 in so far as it relates to that Part) takes effect subject to section 89(2)(r) of the Act, which provides that certain provisions of the Act will not expire and will continue to have effect. The relevant provisions are paragraphs 30, 33 and 35 of Schedule 12 (and section 15 and paragraph 19 of Schedule 12 so far as they relate to those paragraphs).