STATUTORY INSTRUMENTS

2004 No. 3354

CHILDREN AND YOUNG PERSONS, ENGLAND AND WALES

The Protection of Children and Vulnerable Adults and Care Standards Tribunal (Amendment No.2) Regulations 2004

Made - - - -	*14th December 2004*
Laid before Parliament	*21st December 2004*
Coming into force - -	*11th January 2005*

The Secretary of State, in exercise of the powers conferred upon him by sections 9(2)(c) and (3C) of the Protection of Children Act 1999(**a**) and of all other powers enabling him in that behalf, after consultation with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992(**b**), and with the National Assembly for Wales in accordance with section 9(3C) of the Protection of Children Act 1999, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Protection of Children and Vulnerable Adults and Care Standards Tribunal (Amendment No. 2) Regulations 2004 and shall come into force on 11th January 2005.

(2) In these Regulations, "the Tribunal Regulations" means the Protection of Children and Vulnerable Adults and Care Standards Tribunal Regulations 2002(**c**).

Amendment of regulation 1 of the Tribunal Regulations

2. In regulation 1(2) of the Tribunal Regulations (citation, commencement and interpretation)—

(a) in the definition of "the respondent", in paragraph (i), at the end, add "or the Assembly"; and

(b) in the definition of "the Suspension Regulations", at the end, add "or the Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004(**d**).

Signed by authority of the Secretary of State for Health

Stephen Ladyman
Parliamentary Under Secretary of State,
Department of Health

14th December 2004

(**a**) 1999 c.14. Section 9(2) of the Protection of Children Act 1999 ("the 1999 Act") was amended by the Care Standards Act 2000 (c.14) ("the 2000 Act"), section 116 and Schedule 4, paragraph 26(1) and (3)(a). Section 9(3A) to (3C) of the 1999 Act was inserted by the 2000 Act, section 116 and Schedule 4, paragraph 26(1) and (3)(b), in the case of section 9(3A) on a date to be appointed.

(**b**) 1992 c.53. Schedule 1, paragraph 36A of the Tribunals and Inquiries Act 1992 ("the 1992 Act") was inserted by the Schedule to the Protection of Children Act 1999, paragraph 8. Schedule 1, paragraph 36A of the 1992 Act was renumbered as paragraph 36B and amended by the Care Standards Act 2000, Schedule 4, paragraph 21.

(**c**) S.I. 2002/816 as amended by S.I. 2003/626, 1060 and 2043 and 2004/2073.

(**d**) S.I. 2004/3282 (W.285).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the definitions of "the respondent" and "the Suspension Regulations" in regulation 1(2) of the Protection of Children and Vulnerable Adults and Care Standards Tribunal Regulations 2002 in order to include references to, respectively, the National Assembly for Wales and the Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004, to enable the Tribunal to hear appeals under regulation 8 of those Regulations.

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