STATUTORY INSTRUMENTS

2018 No. 231

HEALTH AND SAFETY
SOCIAL CARE

The Blood Safety and Quality Regulations and the Care and Support (Business Failure) Regulations (Consequential Amendments) Order 2018

Made - - - -	*22nd February 2018*
Laid before Parliament	*26th February 2018*
Coming into force - -	*1st April 2018*

The Secretary of State makes this Order in exercise of the powers conferred by section 150(1) of the Government of Wales Act 2006(**1**).

Citation and commencement

1. This Order may be cited as the Blood Safety and Quality Regulations and the Care and Support (Business Failure) Regulations (Consequential Amendments) Order 2018 and comes into force on 1st April 2018.

Amendment of the Blood Safety and Quality Regulations 2005

2. In regulation 1 (citation, commencement and interpretation) of the Blood Safety and Quality Regulations 2005(**2**), in paragraph (3)—

(a) in the definition of "care home"(**3**)—

(i) in paragraph (a), omit "and Wales";

(ii) at the end of paragraph (b), omit "and";

(iii) in paragraph (c), after "2003" insert—

", and

(**1**) 2006 c.32. Section 150 enables the Secretary of State, by Order, to make provision in consequence of (inter alia) any provision made by an Act of the National Assembly for Wales. This Order is made in consequence of provisions made by the Regulation and Inspection of Social Care (Wales) Act 2016 (2016 anaw 2) relating to the regulation of social care settings in Wales.

(**2**) S.I. 2005/50.

(**3**) The definition of "care home" was inserted by regulation 2 of S.I. 2006/2013 and amended by article 2 of, and Schedule 2 to, S.I. 2011/2581.

(d) in Wales, means a place at which a care home service, within the meaning of Paragraph 1 of Schedule 1 of the Regulation and Inspection of Social Care (Wales) Act 2016(**4**), is provided wholly or mainly to persons aged 18 or over";

(b) in the definition of "registered person"(**5**)—

(i) at the end of paragraph (a), omit "and";

(ii) in paragraph (b), omit "Wales,";

(iii) at the end of paragraph (b), insert—

"and

(c) in Wales,—

(i) the person registered with Social Care Wales(**6**) as the manager of a place at which a care home service, within the meaning of Paragraph 1 of Schedule 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, is provided wholly or mainly to persons aged 18 or over(**7**), or

(ii) the person registered as the manager of an independent hospital or independent clinic following an application to be registered as such pursuant to section 12(3) of the Care Standards Act 2000(**8**);".

Amendment of the Care and Support (Business Failure) Regulations 2015

3.—(1) The Care and Support (Business Failure) Regulations 2015(**9**) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (4), in the definition of "a provider"—

(a) at the end of paragraph (b), omit "or";

(b) in paragraph (c), after "agency" insert—

", or

(d) a person registered under Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016;".

(3) In regulation 2 (business failure), in paragraph 1(b), after "agency" insert "or a regulated service, within the meaning of section 2 of the Regulation and Inspection of Social Care (Wales) Act 2016,".

(**4**) 2016 anaw 2. Part 1 of the Act deals with the regulation of social care services.
(**5**) The definition of "registered person" was amended by regulation 2 of S.I. 2006/2013,articles 2 and 16 of S.I. 2010/1881 and article 2 of, and Schedule 2 to, S.I. 2011/2581 (to which there are amendments not relevant to this instrument).
(**6**) "Social Care Wales" has the meaning given by section 67(2) of the Regulation and Inspection of Social Care (Wales) Act 2016.
(**7**) The responsible individual of a regulated service (as defined in section 2 of the Regulation and Inspection of Social Care (Wales) Act 2016) is required to appoint a person to manage the regulated service, in this case a care home service provided wholly or mainly to persons aged 18 or over (see Part 1 of, and Schedule 1 to, that Act).
(**8**) 2000 c.14.
(**9**) S.I. 2015/301.