STATUTORY INSTRUMENTS

2018 No. 228

SOCIAL SECURITY
CHILD SUPPORT

The Social Security and Child Support (Regulation and Inspection of Social Care (Wales) Act 2016) (Consequential Provision) Regulations 2018

Made - - - -	*22nd February 2018*
Laid before Parliament	*23rd February 2018*
Coming into force - -	*2nd April 2018*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by section 150(1)(a) of the Government of Wales Act 2006 (**1**).

In accordance with section 176(1)(a) of the Social Security Administration Act 1992(**2**), the Secretary of State has consulted, in relation to regulations 9 and 10, with organisations appearing to the Secretary of State to be representative of the authorities concerned.

Citation and commencement

1. These Regulations may be cited as the Social Security and Child Support (Regulation and Inspection of Social Care (Wales) Act 2016) (Consequential Provision) Regulations 2018 and come into force on 2nd April 2018.

Amendment of the Income Support (General) Regulations 1987

2.—(1) The Income Support (General) Regulations 1987(**3**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1), in the definition of "care home"—

(a) omit "and Wales";

(**1**) 2006 c.32.

(**2**) Section 176(1)(a) was amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c.14). It was repealed, to the extent that it relates to council tax benefit, by section 147 of, and Part 1 of Schedule 14 to, the Welfare Reform Act 2012 (c.5) with effect from 1st April 2013 and subject to savings and transitional provisions in articles 9 and 10 of S.I. 2013/358.

(**3**) S.I. 1987/1967. Relevant amending instruments are S.I. 2005/2687 and 2011/2581.

(b) after "Care Standards Act 2000," insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016(**4**) which is provided wholly or mainly to persons aged 18 or over".

Amendment of the Social Fund Cold Weather Payments (General) Regulations 1988

3.—(1) The Social Fund Cold Weather Payments (General) Regulations 1988(**5**) are amended as follows.

(2) In regulation 1A (prescribed description of persons), in paragraph (5)(a)—

(a) omit "and Wales";

(b) after "Care Standards Act 2000," insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over".

Amendment of the Child Support (Maintenance Assessments and Special Cases) Regulations 1992

4.—(1) The Child Support (Maintenance Assessments and Special Cases) Regulations 1992(**6**) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2)—

(a) in the definition of "care home", before "has the meaning" insert "in England";

(b) in the definition of "care home service", before "has the meaning" insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over and in Scotland".

Amendment of the Jobseeker's Allowance Regulations 1996

5.—(1) The Jobseeker's Allowance Regulations 1996(**7**) are amended as follows.

(2) In regulation 1 (citation, commencement, interpretation and application), in paragraph (3), in the definition of "care home"—

(a) omit "and Wales";

(b) after "Care Standards Act 2000," insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over".

Amendment of the Social Fund Winter Fuel Payment Regulations 2000

6.—(1) The Social Fund Winter Fuel Payment Regulations 2000(**8**) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2), in the definition of "care home"—

(a) omit "and Wales";

(**4**) 2016 anaw 2.
(**5**) S.I. 1988/1724. Relevant amending instruments are S.I. 2010/2442 and 2011/2581.
(**6**) S.I. 1992/1815. Relevant amending instruments are S.I. 2003/2779 and 2011/2581.
(**7**) S.I. 1996/207. Relevant amending instruments are S.I. 2005/2687 and 2011/2581.
(**8**) S.I. 2000/729. Relevant amending instruments are S.I. 2005/2687 and 2011/2581.

(b) after "Care Standards Act 2000," insert "in Wales, means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over".

Amendment of the Child Support (Maintenance Calculations and Special Cases) Regulations 2000

7.—(1) The Child Support (Maintenance Calculations and Special Cases) Regulations 2000(**9**) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2)—

(a) in the definition of "care home", before "has the meaning" insert " in England";

(b) in the definition of "care home service" before "has the meaning" insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over and in Scotland".

Amendment of the State Pension Credit Regulations 2002

8.—(1) The State Pension Credit Regulations 2002(**10**) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2)—

(a) in the definition of "care home"—

(i) before "has the meaning" insert "in England";

(ii) before "Scotland" insert "Wales and";

(b) in the definition of "care home service" before "has the meaning" insert "in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over and in Scotland".

Amendment of the Housing Benefit Regulations 2006

9.—(1) The Housing Benefit Regulations 2006(**11**) are amended as follows.

(2) In regulation 2 (interpretation), in paragraph (1), in the definition of "care home"—

(a) omit "and Wales";

(b) after "Care Standards Act 2000" insert ", in Wales means a care home service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 which is provided wholly or mainly to persons aged 18 or over".

(3) In regulation 28 (treatment of child care charges), in paragraph (8)(l), for "the Domiciliary Care Agencies (Wales) Regulations 2004" substitute "by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016".

(**9**) S.I. 2001/155. Relevant amending instruments are S.I. 2003/2779 and 2011/2581.
(**10**) S.I. 2002/1792. Relevant amending instruments are S.I. 2002/3197 and 2011/2581.
(**11**) S.I. 2006/213. Relevant amending instruments are S.I. 2009/1848 and 2011/2581.