WELSH STATUTORY INSTRUMENTS

2009 No. 3050 (W.267)

CRIMINAL LAW, WALES

The Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009

Made - - - -	*16 November 2009*
Laid before the National Assembly for Wales - -	*19 November 2009*
Coming into force - -	*28 December 2009*

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 5(2) and (3) and 114 of the Crime and Disorder Act 1998(**1**) and now vested in them(**2**), make the following Order:

Title, application and commencement

1.—(1) The title of this Order is The Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009.

(2) This Order applies in relation to Wales and comes into force on 28 December 2009.

Prescribed descriptions of persons or bodies for the purposes of section 5(2) of the Crime and Disorder Act 1998

2.—(1) This article prescribes for the purposes of section 5(2) of the Crime and Disorder Act 1998 the descriptions of persons or bodies with whom responsible authorities are required to act in co-operation in their exercise of the functions conferred by section 6 of that Act.

(2) Those persons or bodies are, as respects each local government area in Wales—

(a) a community council in that area;

(b) a National Health Service Trust established under Part 1 of the National Health Service and Community Care Act 1990(**3**) or Part 2 of the National Heath Service (Wales) Act 2006(**4**);

(**1**) 1998 c. 37. Section 5(2) was amended by section 97(4) of the Police Reform Act 2002 (c. 30) and paragraph 13(2) of Schedule 1 to the Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I.2008/912). Section 5(3) was amended by section 97(5) of the Police Reform Act 2002. Section 6 was substituted by paragraph 3 of Schedule 9 to the Police and Justice Act 2006 (c. 48).

(**2**) The powers conferred by section 5(2) and (3) of the 1998 Act on the National Assembly for Wales transferred to the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

(**3**) 1990 c. 19.

(c) the governing body of a school, within the meaning of section 4(1) of the Education Act 1996(**5**), in that area which is maintained by a local education authority;

(d) the proprietor of an independent school, within the meaning of section 463 of that Act, in that area;

(e) the governing body of an institution within the further education sector, as defined in section 91 of the Further and Higher Education Act 1992(**6**), in that area;

(f) the Welsh Ministers;

(g) a social landlord, registered under Part 1 of the Housing Act 1996(**7**), which is a landlord of accommodation in that area.

Prescribed descriptions of persons or bodies for the purposes of section 5(3) of the Crime and Disorder Act 1998

3.—(1) This article prescribes for the purposes of section 5(3) of the Crime and Disorder Act 1998 the descriptions of persons or bodies at least one of each of which must be invited by responsible authorities to participate in their exercise of the functions conferred by section 6 of that Act.

(2) Those persons or bodies are, as respects each local government area in Wales—

(a) the Environment Agency;

(b) a voluntary organisation operating in that area whose objects are to provide assistance to young persons through youth work or informal education;

(c) the Crown Prosecution Service;

(d) a Court Manager of the Crown Court;

(e) the Lord Chancellor;

(f) a representative of Neighbourhood Watch Schemes in that area;

(g) a member of a Victim Support Scheme in that area which is affiliated to the National Association of Victim Support Schemes;

(h) the service police as defined in paragraph (3), where any military establishment is within that area;

(i) the Ministry of Defence police, where any place to which section 2(2) of the Ministry of Defence Police Act 1987(**8**) applies is within that area;

(j) a body which provides school transport within that area;

(k) a body which provides or operates public transport within that area;

(l) in respect of each of the following descriptions, a body which promotes the interests of, or provides services to, persons of that description within that area—

(i) women;

(ii) the young, including children;

(iii) the elderly;

(iv) the physically and mentally disabled;

(v) those of different racial groups within the meaning of section 3(1) of the Race Relations Act 1976(**9**);

(**4**) 2006 c. 42.
(**5**) 1996 c. 56.
(**6**) 1992 c. 13.
(**7**) 1996 c. 52.
(**8**) 1987 c. 4.
(**9**) 1976 c. 74.