WELSH STATUTORY INSTRUMENTS

2007 No. 1049 (W.107)

CHILDREN'S COMMISSIONER,WALES

The Children's Commissioner for Wales (Appointment) (Amendment) Regulations 2007

Made - - - -	*27 March 2007*
Coming into force - -	*1 April 2007*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by section 118(7) and paragraph 2 of Schedule 2 to the Care Standards Act 2000(**1**).

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Children's Commissioner for Wales (Appointment) (Amendment) Regulations 2007 and they come into force on 1 April 2007.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

the Commissioner ("*y Comisiynydd*") means the Children's Commissioner for Wales (**2**);

the First Secretary" ("*y Prif Ysgrifennydd*") means the person elected from time to time as the Assembly First Secretary pursuant to section 53(1) of the Government of Wales Act 1998(**3**);

"the First Minister ("*y Prif Weinidog*") means the person appointed from time to time as the First Minister for Wales under section 46 of the Government of Wales Act 2006(**4**);

"the initial period" ("*y cyfnod cychwynnol*") means the initial period as defined in section 161(5) of the Government of Wales Act 2006;

"relevant children" ("*plant perthnasol*") means such children resident in Wales as are selected for the purposes of a particular appointment in such a manner—

(a) as the relevant committee may determine in accordance with the terms of reference of the committee, or

(b) in the absence of such a determination, as the First Secretary may determine;

"relevant committee" ("*pwyllgor perthnasol*") means such a committee as may be established from time to time by the National Assembly for Wales under section 54(1)(b) of the

(**1**) 2000 c. 14
(**2**) The Office of the Children's Commissioner for Wales is established by section 72(1) of the Care Standards Act 2000
(**3**) 1998 c. 38
(**4**) 2006 c. 32

Government of Wales Act 1998 for the purpose of providing advice and determining matters relating to the appointment of the Commissioner.

(4) In these Regulations, a reference —

(a) to a numbered regulation is to the regulation in these Regulations bearing that number;

(b) in a regulation to a numbered paragraph, is to the paragraph in that regulation bearing that number.

Amendment of the Children's Commissioner for Wales (Appointment) Regulations 2000

2. The Children's Commissioner for Wales (Appointment) Regulations 2000(**5**) is amended in accordance with regulations 3 to 6 of these Regulations.

3. In regulation 1 (2), in the interpretation section, add the following definitions in the appropriate place in accordance with the alphabet:—

"the First Minister" ("*y Prif Weinidog*") means the person appointed from time to time as the First Minister for Wales under section 46(1) of the Government of Wales Act 2006(**6**);

"the initial period" ("*y cyfnod cychwynnol*") means the initial period as defined in section 161(5) of the Government of Wales Act 2006.

4. The following regulation is substituted for regulation 2:—

"**Appointment of the Commissioner**

2.—(1) Until the end of the initial period, the Commissioner may be appointed by the First Secretary.

(2) The appointment of the Commissioner under paragraph (1) may be made only after taking into account of—

(a) the advice of a relevant committee,

(b) the views of relevant children as to any candidates interviewed for the appointment, and

(c) the advice of any selection panel, established for the purpose of interviewing candidates, as to their suitability for appointment.

(3) Following the end of the initial period, the Commissioner may be appointed by the First Minister.

(4) The appointment of the Commissioner under paragraph (3) may be made only after taking into account .of—

(a) the views of relevant children as to any candidates interviewed for the appointment, and

(b) the advice of any selection panel, established for the purpose of interviewing candidates, as to their suitability for appointment.

(5) Subject to regulation 3, the term of office of the Commissioner appointed under these Regulations must be seven years.

(6) The Commissioner is not eligible for re-appointment upon the expiry or earlier termination of the term of office."

5. The following regulation is substituted for regulation 3:—

(**5**) 2000/3121 (W.199)
(**6**) 2006 c. 32.