WELSH STATUTORY INSTRUMENTS

2002 No. 1855 (W.179)

CHILDREN AND YOUNG PERSONS, WALES

The Children (Leaving Care) (Amendment) (Wales) Regulations 2002

Made - - - -	*16th July 2002*
Coming into force - -	*1 August 2002*

The National Assembly for Wales, in exercise of the powers conferred by sections 23A(3) and 104(4) and paragraph 19B(3) of Schedule 2 to the Children Act 1989(**1**), hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Children (Leaving Care) (Amendment) (Wales) Regulations 2002 and shall come into force on 1st August 2002.

(2) These Regulations shall apply to Wales only.

Amendment of the Children (Leaving Care) (Wales) Regulations 2001

2. The Children (Leaving Care) (Wales) Regulations 2001(**2**) are amended as follows—

(a) in Regulation 3 (Eligible children), paragraph (2)(b) is omitted,

(b) in Regulation 4 (Relevant children)—

(i) for paragraph (4) there is substituted—

"(4) Subject to paragraph (6), any child who has lived with a person falling within section 23(4) of the Act ("a family placement") for a continuous period of six months or more is not to be a relevant child despite falling within section 23A(2).";

(ii) after paragraph (5) there is inserted—

"(6) Where

(a) a family placement within the meaning of paragraph (4) breaks down and the child ceases to live with the person concerned, and

(**1**) 1989 c. 41.Section 23A(3) is inserted by the Children (Leaving Care) Act 2000. The functions of the Secretary of State under these provisions are transferred to the National Assembly for Wales in relation to Wales by virtue of article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and section 8(7) of the 2000 Act. "Prescribed" is defined in section 105(1) of the Children Act 1989.

(**2**) S.I. 2001/2189.