

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Paragraph 7. (See end of Document for details)*

## SCHEDULE 1

### REGULATED SERVICES: DEFINITIONS

#### *Advocacy services*

- 7 (1) An “advocacy service” is a service specified for the purposes of this paragraph by regulations made by the Welsh Ministers.
- (2) A service may be specified as an advocacy service only if, and to the extent that, the following requirements are satisfied in relation to the service.
- (3) The first requirement is that the service is a service which is carried on (whether or not for profit) for the purpose of representing the views of individuals, or assisting individuals to represent those views, in respect of matters relating to those individuals' needs for care and support (including matters relating to assessing whether those needs exist).
- (4) The second requirement is that the service is not carried on by a person, in the course of a legal activity (within the meaning of the Legal Services Act 2007 (c.29)), who is—
- (a) an authorised person for the purposes of that Act, or
  - [<sup>F1</sup>(b) a person for whom one of the following provisions has effect so as to allow that person to continue to practise as a lawyer in England and Wales and Northern Ireland, or Scotland, on or after IP completion day—
    - (i) regulation 5 (transitional provision: the 1978 Order and Switzerland) of the Services of Lawyers and Lawyer’s Practice (Revocation etc.) (EU Exit) Regulations 2020 (“the 2020 Regulations”);
    - (ii) regulation 5 (transitional provision: the European Communities (Services of Lawyers) Order 1978 and Switzerland) of the Services of Lawyers and Lawyer’s Practice (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (“the 2019 Regulations”);
    - (iii) regulation 6 (transitional provision: the 2000 Regulations and Swiss lawyers) of the 2020 Regulations;
    - (iv) regulation 7 (transitional provision: the European Communities (Lawyer’s Practice) (Scotland) Regulations 2000 and Swiss lawyers) of the 2019 Regulations.]
- (5) Before making regulations under sub-paragraph (1) the Welsh Ministers must consult any persons they think appropriate.
- (6) But the requirement to consult does not apply to regulations which—
- (a) amend other regulations made under that sub-paragraph, and
  - (b) do not, in the opinion of the Welsh Ministers, effect any substantial change in the provision made by the regulations to be amended.

#### **Textual Amendments**

- F1** Sch. 1 para. 7(4)(b) substituted (31.12.2020) by [The Regulation and Inspection of Social Care \(Qualifications\) \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/761\)](#), regs. 1(2), **14** (with regs. 15A-19) (as substituted by [S.I. 2020/1626](#), regs. 1(2), **4** (with regs. 3, 5-13)); 2020 c. 1, **Sch. 5 para. 1(1)**

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**Commencement Information**

**II** Sch. 1 para. 7 in force at 29.4.2019 by [S.I. 2019/864](#), **art. 2(3)(a)**

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