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WELSH STATUTORY INSTRUMENTS

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**2023 No. 292 (W. 43)**

**SOCIAL CARE, WALES**

**The Care and Support (Population Assessments)  
(Wales) (Amendment) Regulations 2023**

<i>Made</i>	- - - -	<i>9 March 2023</i>
<i>Laid before Senedd Cymru</i>		<i>10 March 2023</i>
<i>Coming into force</i>	- -	<i>1 April 2023</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 14(1) and (2) and 198(1) of the Social Services and Well-being (Wales) Act 2014<sup>(1)</sup>.

**Title and commencement**

**1.**—(1) The title of these Regulations is the Care and Support (Population Assessments) (Wales) (Amendment) Regulations 2023.

(2) These Regulations come into force on 1 April 2023.

**Amendments to the Care and Support (Population Assessments) (Wales) Regulations 2015**

**2.**—(1) The Care and Support (Population Assessments) (Wales) Regulations 2015<sup>(2)</sup> are amended as follows.

(2) In regulation 4 (engagement with the private sector and third sector)—

(a) for the heading, substitute—

“4. Engagement with the private sector, third sector and public bodies”;

(b) in paragraph (1), for “or third sector organisation which” substitute “, third sector organisation or public body which they believe”;

(c) for paragraph (2), substitute—

“(2) For the purposes of this regulation—

“public body” (“*corff cyhoeddus*”) means a body (whether corporate or unincorporated) exercising public functions. For the purpose of this definition, a

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(1) 2014 anaw 4.

(2) S.I. 2015/1367 (W. 135).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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public function is a function that is a function of a public nature for the purposes of the Human Rights Act 1998<sup>(3)</sup>;

“third sector organisation” (“*sefydliad trydydd sector*”) has the same meaning as in section 16(2) of the Act<sup>(4)</sup>.”.

9 March 2023

*Eluned Morgan*  
Minister for Health and Social Services, one of  
the Welsh Ministers

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<sup>(3)</sup> 1998 c. 42.

<sup>(4)</sup> In section 16(2) of the Act, “third sector organisation” means an organisation which a person might reasonably consider to exist wholly or mainly to provide benefits to society.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Care and Support (Population Assessments) (Wales) Regulations 2015 (“the principal Regulations”), which make provision for the carrying out of population assessments.

Regulation 4 of the principal Regulations provides that, in carrying out a population assessment, responsible bodies must engage with certain private sector or third sector organisations. Regulation 2 of these Regulations amends regulation 4 of the principal Regulations so that responsible bodies must also engage with any public body which they believe is concerned with or has an interest in the provision of care and support or preventative services to the local population. Regulation 2 of these Regulations also inserts relevant definitions for these purposes.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.