



# Care Standards Act 2000

## 2000 CHAPTER 14

### PART V

#### THE CHILDREN'S COMMISSIONER FOR WALES

VALID FROM 26/08/2001

#### 74 Examination of cases.

(1) Regulations may [<sup>F1</sup>, in connection with the Commissioner's functions under this Part,]make provision for the examination by the Commissioner of the cases of particular children to whom this Part applies.

[<sup>F2</sup>(1A) The reference in subsection (1) to functions of the Commissioner does not include a reference to his power to consider and make representations by virtue of section 75A(1).]

(2) The regulations may include provision about—

- (a) the types of case which may be examined;
- (b) the circumstances in which an examination may be made;
- (c) the procedure for conducting an examination, including provision about the representation of parties;
- (d) the publication of reports following an examination.

(3) The regulations may make provision for—

- (a) requiring persons to provide the Commissioner with information; or
- (b) requiring persons who hold or are accountable for information to provide the Commissioner with explanations or other assistance,

for the purposes of an examination or for the purposes of determining whether any recommendation made in a report following an examination has been complied with.

(4) For the purposes mentioned in subsection (3), the Commissioner shall have the same powers as the High Court in respect of—

*Status: Point in time view as at 01/12/2000. This version of this provision is not valid for this point in time.*

*Changes to legislation: Care Standards Act 2000, Section 74 is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) the attendance and examination of witnesses (including the administration of oaths and affirmations and the examination of witnesses abroad); and
  - (b) the provision of information.
- (5) No person shall be compelled for the purposes mentioned in subsection (3) to give any evidence or provide any information which he could not be compelled to give or provide in civil proceedings before the High Court.
- (6) The regulations may make provision for the payment by the Commissioner of sums in respect of expenses or allowances to persons who attend or provide information for the purposes mentioned in subsection (3).

#### Textual Amendments

- F1** Words in s. 74(1) inserted (26.8.2001 for W.) by 2001 c. 18, s. 5(2)(a); S.I. 2001/2783, art. 2(2)(e)
- F2** S. 74(1A) inserted (26.8.2001 for W.) by 2001 c. 18, s. 5(2)(b); S.I. 2001/2783, art. 2(2)(e)

#### Commencement Information

- I1** S. 74 in force for W. at 26.8.2001 by S.I. 2001/2782, art. 2(1)(2)(d)

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