

2005 No. 607

**CHILDREN AND YOUNG PERSONS, ENGLAND AND
WALES**

FAMILY LAW, ENGLAND AND WALES

**The National Assembly for Wales (Conduct of Litigation and
Exercise of Rights of Audience) Regulations 2005**

<i>Made</i> - - - -	<i>9th March 2005</i>
<i>Laid before Parliament</i>	<i>10th March 2005</i>
<i>Coming into force</i> -	<i>1st April 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by section 37(1) of the Children Act 2004(a), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Assembly for Wales (Conduct of Litigation and Exercise of Rights of Audience) Regulations 2005 and shall come into force on 1st April 2005.

Authorised officers

2. A Welsh family proceedings officer who is—

- (a) a barrister or a solicitor of the Supreme Court, or
- (b) employed (whether wholly or in part), or is otherwise engaged, to conduct litigation and is doing so in conjunction with a Welsh family proceedings officer described in subparagraph (a),

may be authorised by the National Assembly for Wales in accordance with section 37(1) of the Children Act 2004.

Signed by authority of the Secretary of State

9th March 2005

Cathy Ashton
Parliamentary Under Secretary of State
Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the types of officer who can be authorised by the National Assembly for Wales (“the Assembly”), in accordance with section 37(1) of the Children Act 2004 (c.31)(“the Act”). Section 37 allows the Assembly to authorise a Welsh family proceedings officer, in the exercise of his functions, to conduct litigation in relation to any proceedings in any court and to exercise rights of audience in any proceedings before any court.

The Assembly is given functions previously discharged by the Children and Family Court Advisory and Support Service, established under section 11 of the Criminal Justice and Court Services Act 2000, in respect of children ordinarily resident in Wales by section 35 of the Act. These functions are, in respect of family proceedings in which the welfare of such children is or may be in question, to give advice in any court about any application, to make provision for the children to be represented and to provide information, advice and other support for the children and their families.

£3.00

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s
Stationery Office and Queen’s Printer of Acts of Parliament.
E0447 3/2005 150447T 19585

ISBN 0-11-072482-8



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