
WELSH STATUTORY INSTRUMENTS

2005 No. 1513

The Special Guardianship (Wales) Regulations 2005

PART 1

GENERAL

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Special Guardianship (Wales) Regulations 2005 and they come into force on 30 December 2005.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Children Act 1989;

“adoption support agencies” (“*asiantaethau cymorth mabwysiadu*”) has the same meaning as in the Care Standards Act 2000(1);

“couple” (“*cwpl*”) has the same meaning as in section 144 of the Adoption and Children Act 2002(2);

“independent fostering agencies” (“*asiantaethau maethu annibynnol*”) has the same meaning as in regulation 2(1) of the Fostering Services (Wales) Regulations 2003(3);

“local education authority” (“*awdurdod addysg lleol*”) has the same meaning as in the Education Act 1996(4);

“prospective special guardian” (“*darpar warcheidwad arbennig*”) means a person—

- (a) who has given notice to a local authority under section 14A(7) of the Act of an intention to apply for an SGO in accordance with section 14A(3) of the Act; or
- (b) in respect of whom a court has requested a local authority to conduct an investigation and prepare a report pursuant to section 14A(9) of the Act;

“related person” (“*person perthynol*”) means, in relation to a relevant child—

- (a) a relative of the child within the meaning of section 105 of the Act; and
- (b) any other person with whom the child has a relationship which appears to the local authority to be beneficial to the child’s welfare;

“relevant child” (“*plentyn perthnasol*”) means a child in respect of whom—

- (a) an SGO is in force (referred to in these regulations as “a child subject to an SGO”);
- (b) a person has given notice to a local authority under section 14A(7) of the Act of an intention to apply for an SGO in accordance with section 14A(3) of the Act (referred to in these regulations as “a child in respect of whom an SGO is sought”); or

(1) 2000 c. 14.
(2) 2002 c. 38.
(3) S.I.2003/237.
(4) 1996 c. 56.

(c) a court has asked a local authority to conduct an investigation and prepare a report pursuant to section 14A(9) of the Act (referred to in these regulations as “a child in respect of whom the court has required a report”),

and references to “relevant children” shall be construed accordingly;

“SGO” (“*GGA*”) means a special guardianship order;

“special guardian” (“*gwarcheidwad arbennig*”) means a person appointed to be a special guardian under an SGO made pursuant to section 14A of the Act;

“special guardianship support services” (“*gwasanaethau cymorth gwarcheidiaeth arbennig*”) means those services falling within regulation 3(1) and section 14F(1)(a) of the Act; and

“voluntary adoption agencies” (“*asiantaethau mabwysiadu gwirfoddol*”) has the same meaning as in section 4 of the Care Standards Act 2000.

(4) In these Regulations, a reference—

(a) to the Schedule is to the Schedule to these Regulations;

(b) to a numbered regulation is to the regulation in these Regulations bearing that number;

(c) in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number.