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WELSH STATUTORY INSTRUMENTS

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**2010 No. 1703**

**The Child Minding and Day Care  
(Disqualification) (Wales) Regulations 2010**

**Interpretation**

2.—(1) In these Regulations—

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

“the 2000 Act” (“*Deddf 2000*”) means the Criminal Justice and Court Services Act 2000(1);

“appropriate office” (“*swyddfa briodol*”) means—

- (a) if an office has been specified under paragraph (2) in relation to any person, that office;
- (b) in any other case, any office of the Welsh Assembly Government;

“direction” (“*cyfarwyddyd*”) means a direction made, or which has effect as if made, under section 142 of the Education Act 2002(2) on the grounds set out in subsection (4)(a), (b) or (d) of that section;

“disqualified” (“*wedi ei anghymhwysu/ wedi eu hanghymhwysu*”) means disqualified for registration under Part 10A of the Act for child minding or providing day care;

“relevant order” (“*gorchymyn perthnasol*”) and “senior court” (“*llys uwch*”) have the same meanings as in section 30(1) of the 2000 Act.

(2) The Welsh Ministers may specify an office controlled by them as the appropriate office in relation to any registered person or applicant for registration under Part 10A of the Act.

(3) In these Regulations a person has been “found to have committed” an offence if that person has been—

- (a) convicted of an offence;
- (b) found not guilty of an offence by reason of insanity;
- (c) found to be under a disability and to have done the act charged against them in respect of such an offence; or
- (d) on or after 6 April 2007, given a caution(3) in respect of an offence by a police officer.

(4) In these Regulations a person has been found to have committed an offence that is “related to” an offence if that person has been found to have committed an offence of—

- (a) attempting, conspiring or incitement to commit that offence; or
- (b) aiding, abetting, counselling or procuring the commission of that offence.

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(1) 2000 c. 43.

(2) 2002 c. 32.

(3) Paragraph 4(6) of Schedule 9A to the Children Act 1989 (as amended by section 102(3) of the Childcare Act 2006 (2006 c. 21)) provides that “caution” includes a reprimand or warning within the meaning of section 65 of the Crime and Disorder Act 1998.