
Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

WELSH STATUTORY INSTRUMENTS

2016 No. 154 (W. 68)

**COMMISSIONER FOR OLDER
PEOPLE IN WALES, WALES**

The Commissioner for Older People in Wales
(Appointment) (Amendment) Regulations 2016

<i>Made</i>	- - - -	<i>8 February 2016</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>11 February 2016</i>
<i>Coming into force</i>	- -	<i>4 April 2016</i>

The Welsh Ministers in exercise of the powers conferred by section 28(2) of, and paragraph 2 of Schedule 1 to, the Commissioner for Older People (Wales) Act 2006⁽¹⁾, make the following Regulations.

PROSPECTIVE

Title, commencement and application

1.—(1) The title of these Regulations is the Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016.

(2) These Regulations come into force on 4 April 2016.

(3) These Regulations apply in relation to Wales.

Commencement Information

II Reg. 1 in force at 4.4.2016, see [reg. 1\(2\)](#)

(1) 2006 c. 30. The powers to make regulations are exercisable by the Welsh Ministers. In accordance with paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006, these Regulations were subject to annulment in pursuance of a resolution of the Assembly.

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Amendment of the Commissioner for Older People in Wales (Appointment) Regulations 2007

2. The Commissioner for Older People in Wales (Appointment) Regulations 2007(2) are amended in accordance with regulations 3 and 4.

3. In regulation 3 (appointment of the Commissioner)—

- (a) in paragraph (5) for “regulation 4” substitute “regulations 4 and 4A”; and
- (b) in paragraph (6) for the opening words “A person” substitute “Subject to regulation 4A, a person”.

4. After regulation 4, insert—

“**4A.**—(1) The First Minister may extend the term of a Commissioner, who is in the first term of appointment, for a maximum period of two years.

(2) The extension of the Commissioner’s term under paragraph (1) may only be made after taking account of the views of older people in Wales or those persons who (as appear to the First Minister) represent the views of older people in Wales as to the proposed extension.

(3) The period of extension under paragraph (1) commences on the date of the expiry of the Commissioner’s four-year term.

(4) Following the extension of a term under paragraph (1), the Commissioner may not be appointed for a second term.”.

Commencement Information

- I2** Reg. 2 in force at 4.4.2016, see [reg. 1\(2\)](#)
- I3** Reg. 3 in force at 4.4.2016, see [reg. 1\(2\)](#)
- I4** Reg. 4 in force at 4.4.2016, see [reg. 1\(2\)](#)

8 February 2016

Mark Drakeford
Minister for Health and Social Services, one of
the Welsh Ministers

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Commissioner for Older People in Wales (Appointment) Regulations 2007 (“the 2007 Regulations”). The 2007 Regulations make provision in relation to the appointment of the Commissioner for Older People in Wales whose office is established under the Commissioner for Older People (Wales) Act 2006.

These Regulations provide that the First Minister may extend the term of the Commissioner, who is in the first term of appointment, for a period of up to two years. In reaching a decision on whether to extend the Commissioner’s term, the First Minister must take into account the views of older people. If the First Minister extends the Commissioner’s term, the Commissioner may not be reappointed for a second term.

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2023/1166 reg. 6](#)
- reg. 1 coming into force by [S.I. 2016/154 reg. 1\(2\)](#)
- reg. 2 coming into force by [S.I. 2016/154 reg. 1\(2\)](#)
- reg. 3 coming into force by [S.I. 2016/154 reg. 1\(2\)](#)
- reg. 4 coming into force by [S.I. 2016/154 reg. 1\(2\)](#)