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WELSH STATUTORY INSTRUMENTS

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**2017 No. 140 (W. 43)**

**SOCIAL CARE, WALES**

**The Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>7 February 2017</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>14 February 2017</i>
<i>Coming into force</i>	- -	<i>3 April 2017</i>

The Welsh Ministers, in exercise of the powers conferred by sections 175(1) and 187(1) of the Regulation and Inspection of Social Care (Wales) Act 2016(1), make the following Regulations.

**Title, commencement, application and interpretation**

1.—(1) The title of these Regulations is the Social Care Wales (Proceedings before Panels) (Amendment) Regulations 2017.

(2) These Regulations come into force on 3 April 2017.

(3) These Regulations apply in relation to Wales.

(4) In these Regulations “the 2016 Regulations” (“*Rheoliadau 2016*”) means the Social Care Wales (Proceedings before Panels) Regulations 2016(2).

**Amendment of the 2016 Regulations**

2.—(1) The 2016 Regulations are amended as follows.

(2) In regulation 10 (registration appeals proceedings: witness summons) for paragraph (1)(b) substitute—

“(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998(3).”

(3) In regulation 23 (fitness to practise proceedings and interim orders proceedings: witness summons) for paragraph (1)(b) substitute—

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(1) [2016 anaw 2](#).

(2) [S.I. 2016/1100 \(W. 264\)](#).

(3) [S.I. 1998/3132](#). Rule 34.4 of the Civil Procedure Rules gives the High Court and the County Court power to issue a witness summons in aid of a court or tribunal which does not have power to issue a witness summons in relation to proceedings before it.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998.”

(4) In regulation 34 (interim orders proceedings: witness summons) for paragraph (1)(b) substitute—

“(b) SCW may apply to the County Court or the High Court to issue a witness summons in accordance with Rule 34.4 of the Civil Procedure Rules 1998.”

*Rebecca Evans*  
Minister for Social Services and Public Health,  
under authority of the Cabinet Secretary for  
Health, Well-being and Sport, one of the Welsh  
Ministers

7 February 2017

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Social Care Wales (Proceedings before Panels) Regulations 2016 (“the 2016 Regulations”).

Regulations 10, 23 and 34 of the 2016 Regulations are amended to enable Social Care Wales to apply through the Civil Procedure Rules to the High Court or County Court for a witness summons. The amendment is made in relation to a registration appeals panel, a fitness to practise panel and an interim orders panel.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Department of Health and Social Services, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.