



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 2

GENERAL FUNCTIONS

Local arrangements

16 Promoting social enterprises, co-operatives, user led services and the third sector

(1) A local authority must promote—

- (a) the development in its area of social enterprises to provide care and support and preventative services;
- (b) the development in its area of co-operative organisations or arrangements to provide care and support and preventative services;
- (c) the involvement of persons for whom care and support or preventative services are to be provided in the design and operation of that provision;
- (d) the availability in its area of care and support and preventative services from third sector organisations (whether or not the organisations are social enterprises or co-operative organisations).

(2) In this section—

“care and support” (“*gofal a chymorth*”) includes support for carers;

“preventative services” (“*gwasanaethau ataliol*”) means services the local authority considers would achieve any of the purposes in section 15(2);

“social enterprise” (“*menter gymdeithasol*”) means an organisation whose activities are wholly or mainly activities which a person might reasonably consider to be activities carried on for the benefit of society (“its social objects”), and which—

- (a) generates most of its income through business or trade,
- (b) reinvests most of its profits in its social objects,

Status: This is the original version (as it was originally enacted).

- (c) is independent of any public authority, and
 - (d) is owned, controlled and managed in a way that is consistent with its social objects;
- “society” (“*y gymdeithas*”) includes a section of society;
- “third sector organisation” (“*sefydliad trydydd sector*”) means an organisation which a person might reasonably consider to exist wholly or mainly to provide benefits for society.

- (3) For the purposes of this section, regulations may provide—
- (a) that activities of a specified description are or are not to be treated as activities which a person might reasonably consider to be activities carried on for the benefit of society;
 - (b) that organisations or arrangements of a specified description are or are not to be treated as—
 - (i) social enterprises,
 - (ii) co-operative organisations or arrangements, or
 - (iii) third sector organisations;
 - (c) for what does, does not or may constitute a section of society.