



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 11

MISCELLANEOUS AND GENERAL

Miscellaneous

188 Interpretation of sections 185 to 187

(1) In sections 185 to 187—

“approved premises” (“*mangre a gymeradwywyd*”) has the meaning given by section 13 of the Offender Management Act 2007;

“bail in criminal proceedings” (“*mechnïaeth mewn achos troseddol*”) has the meaning given by section 1 of the Bail Act 1976;

“prison” (“*carchar*”) has the same meaning as in the Prison Act 1952 (see section 53(1) of that Act);

“youth detention accommodation” (“*llety cadw ieuenctid*”) means—

- (a) [^{F1}a secure accommodation service (within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016);]
- (b) a secure training centre;
- (ba) [^{F2}a secure college]
- (c) a young offender institution;
- (d) accommodation provided, equipped and maintained by the Welsh Ministers under section 82(5) of the Children Act 1989 for the purpose of restricting the liberty of children;
- (e) accommodation, or accommodation of a description, for the time being specified [^{F3}by regulations under section 248(1)(f) of the Sentencing Code] (youth detention accommodation for purposes of detention and training orders).

Changes to legislation: *Social Services and Well-being (Wales) Act 2014, Section 188 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) For the purposes of sections 185 to 187—
- (a) a person who is temporarily absent from prison or youth detention accommodation is to be treated as detained in prison or youth detention accommodation for the period of absence;
 - (b) a person who is temporarily absent from approved premises is to be treated as residing in approved premises for the period of absence;
 - (c) a person who is temporarily absent from other premises in which the person is required to reside as a condition of the grant of bail in criminal proceedings is to be treated as residing in the premises for the period of absence.

Textual Amendments

- F1** Words in s. 188(1) substituted (2.4.2018) by [Regulation and Inspection of Social Care \(Wales\) Act 2016 \(anaw 2\)](#), s. 188(1), **Sch. 3 para. 32**; S.I. 2017/1326, art. 2(3)(h), Sch. (with art. 6)
- F2** Words in s. 188(1) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 9 para. 32(4)**; S.I. 2015/778, art. 2(1)(c); S.I. 2015/778, art. 2(1)(c); S.I. 2015/778, art. 2(1)(c)
- F3** Words in s. 188(1) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 304(1)** (with Sch. 27); S.I. 2020/1236, reg. 2

Commencement Information

- I1** S. 188 in force at 6.4.2016 by [S.I. 2016/412](#), **art. 2** (with art. 4, Schs. 1, 2)

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 188(1) words substituted by [2020 c. 17 Sch. 24 para. 304\(2\)](#) (This amendment not applied to legislation.gov.uk. It relates to the Welsh text version only)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))