

RIGHTS OF CHILDREN AND YOUNG PERSONS (WALES) MEASURE 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 4 – Reports

41. Subsection (1) – This requires the Welsh Ministers to publish reports about how they and the First Minister have complied with the due regard duty. Their first report must be published on or before 31 January 2013. After that, they must publish a report every five years.
42. Reports will deal with compliance with the due regard duty as set out in section 1(1), or as set out in section 1(2), or both, depending on the period which the report covers. The first report, to be published on or before 31 January 2013, will cover a period when the due regard duty as set out in section 1(2) applies; the report will therefore deal with compliance with that due regard duty.
43. During the following five years, the due regard duty as set out in section 1(2) will apply for the first part of that period, while the due regard duty as set out in section 1(1) will apply for the second part of that period. Therefore, a report covering those five years will deal with compliance in accordance with that position.
44. The timing of these reports is designed to fit in with the timing of the United Kingdom's reports to the Committee on the progress the United Kingdom has made towards achieving the rights contained in the provisions of the Convention and its Optional Protocols. Under Article 44 (1)(b) of the Convention, the United Kingdom has to report to the Committee every five years. The children's scheme may specify that the Welsh Ministers are to publish their reports at longer or shorter intervals.
45. Subsection (2) – The effect of this is that, if the children's scheme has required the Welsh Ministers to publish a report on the operation of the scheme or any matter mentioned in it (as it may under section 2(2)(a)), the Welsh Ministers must publish that report.
46. Subsection (3) – This requires the Welsh Ministers to lay before the Assembly reports which they publish under section 4(1) or (2).