

WELSH STATUTORY INSTRUMENTS

**2016 No. 413**

**The Social Services and Well-being (Wales) Act  
2014 (Consequential Amendments) Regulations 2016**

*Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)*

**46.** The Disabled Persons (Services, Consultation and Representation) Act 1986 is amended as follows.

**Commencement Information**

**II** Reg. 46 in force at 6.4.2016, see [reg. 2\(1\)](#)

- 47.** In section 2(5) (rights of authorised representatives of disabled persons)—
- (a) in paragraph (b)(1), for “Part III of the 1948 Act or Part 1 of the Care Act 2014” substitute “Part 1 of the Care Act 2014 or Part 4 of the Social Services and Well-being (Wales) Act 2014”;
  - (b) in paragraph (bb)(2) after “Part III of the Children Act 1989” insert “, or under Part 6 of the Social Services and Well-being (Wales) Act 2014”;
  - (c) in paragraph (c)(3), for “section 26 of the 1948 Act or Part 1 of the Care Act 2014” substitute “Part 1 of the Care Act 2014 or, in Wales, in compliance with a local authority’s duty to meet the needs of the disabled person pursuant to Part 4 of the Social Services and Well-being (Wales) Act 2014”; and
  - (d) in paragraph (cc)(4) after “under section 17 of the Children Act 1989” insert “, or under Part 4 of the Social Services and Well-being (Wales) Act 2014”.

**Commencement Information**

**I2** Reg. 47 in force at 6.4.2016, see [reg. 2\(1\)](#)

**48.** In section 3 (assessment by local authorities in Wales or Scotland of needs of disabled persons)—

- (a) in subsection (1)(5) omit “Wales or”;
- (b) in the heading to the section(6) omit “Wales or”.

- (1) Section 2(5)(b) was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 37(a).  
(2) Section 2(5)(bb) was inserted by the Children Act 1989, Schedule 13, paragraph 59(3).  
(3) Section 2(5)(c) was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 37(b).  
(4) Section 2(5)(cc) was inserted by the Children Act 1989, Schedule 13, paragraph 59(4).  
(5) Section 3(1) was amended by [S.I. 2015/914](#) Schedule, paragraphs 36, 38(1).  
(6) The heading to section 3 was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 38(2).

**Changes to legislation:** There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Cross Heading: Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33). (See end of Document for details)

#### Commencement Information

**I3** Reg. 48 in force at 6.4.2016, see [reg. 2\(1\)](#)

**49.** In section 4(7) (services under section 2 of the Chronically Sick and Disabled Persons Act 1970: duty to consider needs of disabled persons)—

- (a) in subsection (1)—
  - (i) after “local authority” insert “in England”;
  - (ii) for “section 2(1) or (4)” substitute “section 2(4)”;
- (b) in subsection (2) omit “In the case of a local authority in England”.

#### Commencement Information

**I4** Reg. 49 in force at 6.4.2016, see [reg. 2\(1\)](#)

**50.** In section 8 (duty of local authority in Wales or Scotland to take into account abilities of carer)—

- (a) in subsection (1)(b)(8) omit “Wales or”;
- (b) in the heading to the section(9) omit “Wales or”.

#### Commencement Information

**I5** Reg. 50 in force at 6.4.2016, see [reg. 2\(1\)](#)

**51.** In section 16(1) (interpretation)

- (a) in the definition of “disabled person”, for paragraph (a)(10) substitute—
  - “(a) in relation to Wales means a person who is disabled within the meaning of section 3 of the Social Services and Well-being (Wales) Act 2014; and”;
- (b) in the definition of “local authority”—
  - (i) after “1970” insert “or the Social Services and Well-being (Wales) Act 2014”;
  - (ii) for “that Act” substitute “the 1970 Act”;
- (c) in the definition of “the welfare enactments”—
  - (i) omit “Part III of the 1948 Act, section 2 of the 1970 Act and”;
  - (ii) in paragraph (za)(11), after “England,” insert “section 2 of the 1970 Act.”;
  - (iii) in paragraph (a)(12), for the words from “Schedule 15” to the end of the paragraph insert “Parts 4 and 6 of the Social Services and Well-being (Wales) Act 2014”;
- (d) for subsection (2)(13) substitute—

(7) Section 4 was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 39(1), (2), (3) and (4).

(8) Section 8(1)(b) was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 40(1).

(9) The heading to section 8 was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 40(2).

(10) Paragraph (a) in the definition of “disabled person” was amended by the Children Act 1989, Schedule 13, paragraph 61 and by [S.I. 2015/914](#), Schedule, paragraphs 36, 41(1), (3).

(11) Paragraph (za) in the definition of “welfare enactments” was inserted by [S.I. 2015/914](#), Schedule, paragraphs 36, 41(1), (4).

(12) Paragraph (a) in the definition of “welfare enactments” was amended by [S.I. 2015/914](#), Schedule, paragraphs 36, 41(1), (5) and by the Children Act 1989, Schedule 13, paragraph 61.

(13) Section 16(2) was inserted by the Children Act 1989, Schedule 13, paragraph 61.

---

**Changes to legislation:** *There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Cross Heading: Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33). (See end of Document for details)*

---

“(2) In this Act as it applies in relation to England, any reference to a child who is looked after by a local authority has the same meaning as in Part 3 of the Children Act 1989.

(2ZA) In this Act as it applies in relation to Wales, any reference to a child who is looked after by a local authority has the same meaning as in Part 6 of the Social Services and Well-being (Wales) Act 2014.”

---

**Commencement Information**

**16** Reg. 51 in force at 6.4.2016, see [reg. 2\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016, Cross Heading: Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33).