

2016 No. 154 (W. 68)

**COMMISSIONER FOR OLDER
PEOPLE IN WALES, WALES**

The Commissioner for Older
People in Wales (Appointment)
(Amendment) Regulations 2016

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Commissioner for Older People in Wales (Appointment) Regulations 2007 (“the 2007 Regulations”). The 2007 Regulations make provision in relation to the appointment of the Commissioner for Older People in Wales whose office is established under the Commissioner for Older People (Wales) Act 2006.

These Regulations provide that the First Minister may extend the term of the Commissioner, who is in the first term of appointment, for a period of up to two years. In reaching a decision on whether to extend the Commissioner’s term, the First Minister must take into account the views of older people. If the First Minister extends the Commissioner’s term, the Commissioner may not be reappointed for a second term.

2016 No. 154 (W. 68)

**COMMISSIONER FOR OLDER
PEOPLE IN WALES, WALES**

**The Commissioner for Older
People in Wales (Appointment)
(Amendment) Regulations 2016**

Made 8 February 2016

Laid before the National Assembly for Wales
11 February 2016

Coming into force 4 April 2016

The Welsh Ministers in exercise of the powers conferred by section 28(2) of, and paragraph 2 of Schedule 1 to, the Commissioner for Older People (Wales) Act 2006⁽¹⁾, make the following Regulations.

Title, commencement and application

1.—(1) The title of these Regulations is the Commissioner for Older People in Wales (Appointment) (Amendment) Regulations 2016.

(2) These Regulations come into force on 4 April 2016.

(3) These Regulations apply in relation to Wales.

**Amendment of the Commissioner for Older People
in Wales (Appointment) Regulations 2007**

2. The Commissioner for Older People in Wales (Appointment) Regulations 2007⁽²⁾ are amended in accordance with regulations 3 and 4.

3. In regulation 3 (appointment of the Commissioner)—

(a) in paragraph (5) for “regulation 4” substitute “regulations 4 and 4A”; and

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- (1) 2006 c. 30. The powers to make regulations are exercisable by the Welsh Ministers. In accordance with paragraph 35(4) of Schedule 11 to the Government of Wales Act 2006, these Regulations were subject to annulment in pursuance of a resolution of the Assembly.
- (2) S.I. 2007/396 (W. 42)

- (b) in paragraph (6) for the opening words “A person” substitute “Subject to regulation 4A, a person”.

4. After regulation 4, insert—

□ **4A.**—(1) The First Minister may extend the term of a Commissioner, who is in the first term of appointment, for a maximum period of two years.

(2) The extension of the Commissioner’s term under paragraph (1) may only be made after taking account of the views of older people in Wales or those persons who (as appear to the First Minister) represent the views of older people in Wales as to the proposed extension.

(3) The period of extension under paragraph (1) commences on the date of the expiry of the Commissioner’s four-year term.

(4) Following the extension of a term under paragraph (1), the Commissioner may not be appointed for a second term.□.

Mark Drakeford

Minister for Health and Social Services, one of the
Welsh Ministers

8 February 2016