B. 13/24

BILL

FOR

AN ACT to amend the Care Agency Act 2009.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Care Agency (Amendment) Act 2024.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of the Care Agency Act 2009.

3. The Care Agency Act 2009 is amended as follows-

   (a) in section 2 in the definition of "Minister" for "social services" substitute "the Care Agency"; and

   (b) after section 7A insert the following section-

   "Power to establish Board.

   7B.(1) The Minister may, by regulations, establish a board for the protection of adults who-

      (a)   have needs for care and support (whether or not the Agency is meeting any of those needs);

      (b)   are experiencing, or are at risk of, abuse or neglect; and

      (c)   as a result of those needs are unable to protect themselves against the abuse or neglect or the risk of it.

   (2) Regulations under subsection (1) may provide for-

(a)   the constitution, functions and powers of the board (including the appointment of members by notice in the Gazette);

(b)   the manner in which the functions of the board are to be performed and the keeping of records and minutes of the proceedings;

(c)   the consultation of the board with persons other than its members;

(d)   the procedure to be followed by the board in conducting its business, including the fixing of a quorum;

(e)   any other matters necessary or expedient for the better performance of the functions of the board.

(3) In subsection (1) "adult" means a person aged 18 or over.".

EXPLANATORY MEMORANDUM

This Bill amends the Care Agency Act 2009 so as to provide a power for the Minister by regulation to establish a Safeguarding Adults Board to help and protect vulnerable adults.