



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 4

SOCIAL CARE WORKERS

Restoring an entry to the register

97 Restoration following fitness to practise proceedings

- (1) This section applies where a fitness to practise panel has made a removal order under—
 - (a) section 138(9) (disposal following a finding of impairment);
 - (b) section 152(8)(e) (decisions following review of undertakings);
 - (c) section 153(9)(d) (decisions on review of conditional registration orders);
 - (d) section 154(8)(d) (decisions on review of suspensions orders).
- (2) Subject to subsection (3), the person to whom the order relates may make an application to the registrar for the entry in respect of the person to be restored to the register (but see section 98(4) for provision about circumstances in which a registration appeals panel may prevent a person making such an application).
- (3) The person to whom the order relates may not—
 - (a) make an application for restoration before the expiry of the period of 5 years beginning with the date on which the order was made, or
 - (b) make more than one application for restoration to the register within a period of 12 months.
- (4) The registrar must refer an application made under subsection (2) to a registration appeals panel for determination (see section 98).
- (5) Where a registration appeals panel has given a direction under section 98(4) (suspension of the right to apply for restoration)—

Status: This is the original version (as it was originally enacted).

- (a) the person in respect of whom the direction is given may make an application to the registrar for a review of the direction, and
 - (b) the registrar must refer the application to a registration appeals panel for determination.
- (6) A person may not make an application under subsection (5)(a)—
- (a) before the expiry of the period of 3 years beginning with the date on which the direction is given, or
 - (b) within the period of 3 years beginning with the date of a previous application for review.