



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 1

REGULATION OF SOCIAL CARE SERVICES

CHAPTER 5

OFFENCES AND PENALTIES

53 Offences by bodies corporate

- (1) This section applies where an offence under this Part or under regulations made under it is committed by a body corporate.
- (2) A person mentioned in subsection (3) also commits the offence if the offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, that person.
- (3) Those persons are—
 - (a) a director, manager, secretary or other similar officer of the body corporate,
 - (b) where a body corporate's affairs are managed by its members, a member, or
 - (c) any person purporting to act in any of those capacities.
- (4) Where a body corporate is a local authority, the reference in subsection (3) to a director, manager or secretary of the body is to be read as a reference to an officer or member of the authority.

Modifications etc. (not altering text)

- C1** Pt. 1 applied (with modifications) (29.4.2019) by [The Regulated Advocacy Services \(Service Providers and Responsible Individuals\) \(Wales\) Regulations 2019 \(S.I. 2019/165\)](#), regs. 1(2), **58(3)**

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 53. (See end of Document for details)

- C2** Pt. 1 applied (with modifications) (29.4.2019) by The Regulated Fostering Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 (S.I. 2019/169), regs. 1(2), **71**
- C3** Pt. 1 applied (with modifications) (29.4.2019) by The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 (S.I. 2019/762), regs., **57(3)**
- C4** Pt. 1 applied (with modifications) (29.4.2019) by The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019 (S.I. 2019/163), regs. 1(2), **67(3)**
- C5** S. 53 applied by 2014 anaw 4, s. 94B(3) (as inserted (2.4.2018) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), **ss. 58**, 188(1); S.I. 2017/1326, art. 2(3)(f))
- C6** S. 53 applied by 2014 anaw 4, s. 161C(5) (as substituted (29.4.2019) by Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), **ss. 57(2)**, 188(1); S.I. 2019/864, art. 2(3)(c))

Commencement Information

- I1** S. 53 in force at 2.4.2018 by S.I. 2017/1326, **art. 2(3)(e)**

Changes to legislation:

There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 53.