
WELSH STATUTORY INSTRUMENTS

2004 No. 219

The Domiciliary Care Agencies (Wales) Regulations 2004

PART I
GENERAL

Excepted undertakings and application to employment agencies

3.—(1) For the purposes of the Act, an undertaking is excepted from the definition of “domiciliary care agency” in section 4(3) of the Act —

- (a) if it is carried on by an individual who —
 - (i) carries it on otherwise than in partnership with others;
 - (ii) is not employed by an organisation or unincorporated association to carry it on;
 - (iii) does not employ any other person for the purposes of the undertaking; and
 - (iv) provides or arranges the provision of personal care services to fewer than four service users;
- (b) in so far as it arranges for the provision of personal care for persons accommodated in a care home in respect of which a person is registered under Part II of the Act;
- (c) to the extent that it arranges the provision of personal care by an agreement with an undertaking which is registered under the Act and these Regulations.

(2) The provisions of these Regulations set out in paragraph (3) shall not apply to domiciliary care agencies to the extent to which they are also employment agencies.

(3) The regulations are 13 (Conduct of agency), 14 (Arrangements for the provision of personal care), 16 (Staffing), 17 (Staff handbook and code of conduct) and 19 (Identification of workers).