



Social Services and Well-being (Wales) Act 2014

2014 anaw 4

PART 8

SOCIAL SERVICES FUNCTIONS

[^{F1}Enforcement

[^{F1}161COffences

- (1) It is an offence for a person—
 - (a) to intentionally obstruct the carrying out of an inspection of premises under section 161 by an inspector, or
 - (b) to fail to comply with any requirement imposed on the person by an inspector carrying out such an inspection.
- (2) It is an offence for a person to fail to comply with a requirement imposed on the person by the Welsh Ministers under section 161B(1).
- (3) It is a defence for a person charged with an offence under subsection (1)(b) or (2) to show that the person had a reasonable excuse for not complying with the requirement.
- (4) A person guilty of an offence under this section is liable—
 - (a) on summary conviction, to a fine, or to imprisonment for a term not exceeding 6 months, or to both;
 - (b) on conviction on indictment, to a fine, or to imprisonment for a term not exceeding 2 years, or to both.
- (5) Sections 53 (offences by bodies corporate), 54 (offences by unincorporated bodies) and 55 (proceedings for offences) of the Regulation and Inspection of Social Care (Wales) Act 2016 apply to an offence under this section as they apply to offences under Part 1 of that Act.]

Changes to legislation: Social Services and Well-being (Wales) Act 2014, Section 161C is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Ss. 161-161C and cross-heading substituted for s. 161 (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)

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 162(4)(ga) inserted by [2022 asc 1 Sch. 4 para. 30\(2\)\(b\)](#)
- s. 163(4A) inserted by [2014 c. 23 s. 75\(10\)](#) (Effect inserting (4) not applied at s. 163 as it appears to relate to s. 194 in view of the title of the section as cited i.e. "ordinary residence". In s. 194 another (4), identically worded, is inserted on the same date by S.I. 2016/413, regs. 2(1), 316(a))