



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 4

SOCIAL CARE WORKERS

Appeals to a registration appeals panel

101 Appeals against decisions of the registrar

- (1) A person may appeal to a registration appeals panel against a decision by the registrar—
- (a) under section 83 not to grant the person's application for registration;
 - (b) under section 86 not to grant the person's application for renewal of his or her registration;
 - (c) to remove an entry in respect of the person from the register under section 94;
 - (d) under section 96 not to grant the person's application for restoration of his or her entry to the register.
- (2) But a person may not appeal against a decision mentioned in subsection (1)(a), (b) or (d) if the decision was taken by reason only that the person failed to—
- (a) pay any fee required by SCW in connection with the application,
 - (b) make the application in the form and manner required by SCW, or
 - (c) provide documents or information in support of the application as required by the registrar.
- [^{F1}(3) Subsection (1) does not apply to—
- (a) a decision by the registrar to refuse to register a person under section 83A, or
 - (b) a decision by the registrar to revoke a person's registration under that section.]

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Appeals to a registration appeals panel. (See end of Document for details)

Textual Amendments

- F1** S. 101(3) inserted (temp.) (25.3.2020) by virtue of [Coronavirus Act 2020 \(c. 7\)](#), s. 87(1), [Sch. 5 para. 2\(4\)\(a\)](#) (with [ss. 89, 90](#)) (subject to expiry in accordance with s. 89(1)(2)(d) of the modifying Act)

Commencement Information

- I1** S. 101 in force at 3.4.2017 by [S.I. 2017/309](#), [art. 2\(c\)](#) (with [arts. 3, 4, Sch.](#))

102 Appeals to the registration appeals panel: procedure

- (1) An appeal under section 101 must be made by giving notice of appeal to the registrar.
- (2) The notice must be given before the end of the period of 28 days beginning with the relevant day.
- (3) But the registrar may allow an appeal to be made after the end of the period mentioned in subsection (2) if satisfied that there are good reasons for a failure to give notice before the end of that period (and for any delay in giving notice out of time).
- (4) In subsection (2) “relevant day” means—
 - (a) in the case of a decision mentioned in section 101(1)(a) or (b), the day on which notice of the decision is given under section 89,
 - (b) in the case of a decision mentioned in section 101(1)(c), the day on which notice of the decision is given under section 94, and
 - (c) in the case of a decision mentioned in section 101(1)(d), the day on which notice of the decision is given under section 96.

Commencement Information

- I2** S. 102 in force at 3.4.2017 by [S.I. 2017/309](#), [art. 2\(c\)](#) (with [arts. 3, 4, Sch.](#))

103 Decisions on appeal to the registration appeals panel

On an appeal under section 101 a registration appeals panel may—

- (a) confirm the registrar's decision,
- (b) substitute for the decision appealed against another decision of a kind that the registrar could have made, or
- (c) remit the case to the registrar to dispose of in accordance with the directions of the panel.

Commencement Information

- I3** S. 103 in force at 3.4.2017 by [S.I. 2017/309](#), [art. 2\(c\)](#) (with [arts. 3, 4, Sch.](#))

Changes to legislation:

There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Appeals to a registration appeals panel.