



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 1

REGULATION OF SOCIAL CARE SERVICES

CHAPTER 2

REGISTRATION ETC. OF SERVICE PROVIDERS

Notice requirements

19 Notice of decision following notice of proposal

- (1) This section applies where the Welsh Ministers have given a notice of proposal.
- (2) In making a decision on the proposal, the Welsh Ministers must have regard to any representations made to them (whether made by the service provider or any other person who the Welsh Ministers think has an interest).
- (3) If the Welsh Ministers are satisfied that a service provider has taken such action as may be specified under section 18(3) within the time limit specified in the notice of proposal, they must not take the action proposed in the notice.
- (4) The Welsh Ministers must give a notice of decision to the service provider no later than 28 days after the expiry of the later of—
 - (a) the time limit specified under subsection (2)(c) of section 18, or
 - (b) any time limit as may be specified under subsection (3) of that section.
- (5) Despite subsection (4), a notice of decision given after the 28 day period mentioned in that subsection is valid if the notice—
 - (a) gives reasons for the delay in making the decision, and

Status: This is the original version (as it was originally enacted).

- (b) is given no later than 56 days after the expiry of the later of the time limits mentioned in paragraphs (a) and (b) of subsection (4).
- (6) A notice of decision given under subsection (4) must—
- (a) state whether the Welsh Ministers have decided to take the action specified in the notice of proposal,
 - (b) give reasons for the decision, and
 - (c) if the Welsh Ministers have decided to take the action specified in the notice of proposal, explain the right of appeal conferred by section 26.
- (7) A decision stated in a notice given under subsection (4) to take action specified in a notice of proposal takes effect—
- (a) if no appeal is made against the decision, on the day after the last day of the 28 day period referred to in section 26(2), or
 - (b) if an appeal is made, on the day specified by the tribunal in determining the appeal or on the day the appeal is withdrawn.
- (8) The Welsh Ministers may by regulations amend—
- (a) the 28 day period mentioned in subsection (4);
 - (b) the 56 day period mentioned in subsection (5)(b).