



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 3

SOCIAL CARE WALES

Default powers of the Welsh Ministers

78 Default powers of the Welsh Ministers

- (1) The powers conferred by this section are exercisable by the Welsh Ministers if they are satisfied that SCW—
 - (a) has without reasonable excuse failed to discharge any of its functions, or
 - (b) in discharging any of its functions, has without reasonable excuse failed to comply with any directions given by the Welsh Ministers under section 77 in relation to those functions.
- (2) The Welsh Ministers may—
 - (a) publish a statement declaring SCW to be in default, and
 - (b) direct SCW to discharge such of its functions, and in such manner and within such period or periods, as may be specified in the direction.
- (3) If SCW fails to comply with a direction given under subsection (2)(b), the Welsh Ministers may—
 - (a) discharge the functions to which the direction relates themselves, or
 - (b) make arrangements for any other person to discharge those functions on their behalf.
- (4) A direction under subsection (2)(b)—
 - (a) must be in writing;
 - (b) may be varied or revoked by a subsequent direction.

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 78. (See end of Document for details)

Commencement Information

II S. 78 in force at 3.4.2017 by S.I. 2017/309, **art. 2(b)** (with arts. 3, 4, Sch.)

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There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 78.