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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

**The Health and Social Care Act 2008  
(Regulated Activities) Regulations 2014**

**PART 6**

Miscellaneous

**Transitional and transitory provision**

**26.**—(1) No proceedings for an offence under regulation 22 may be brought against a person for a failure to comply with any of regulations 11, 12, 13(1) to (4), 14, 16(3), 17(3) or 20(2)(a) and (3) in so far as such failure was a continuing failure which—

- (a) was the subject of a warning notice given by the Commission in accordance with regulation 27(2)(a) of the 2010 Regulations (offences), and
- (b) occurred during the period ending with the time specified in that notice within which the registered person must take action to secure compliance in accordance with section 29(2)(c)(ii) of the Act.

(2) Until such time as these Regulations come fully into force, regulation 21 (requirements relating to workers) of the 2010 Regulations is to be read as though there were inserted at the end of that regulation—

“This regulation, except sub-paragraph (c), does not apply in a case to which regulation 5 (fit and proper persons: directors) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applies.”