
STATUTORY INSTRUMENTS

2001 No. 3968

The Private and Voluntary Health
Care (England) Regulations 2001

PART VII

MISCELLANEOUS

Compliance with regulations

50. Where there is more than one registered person in respect of an establishment or agency, anything which is required under these Regulations to be done by the registered person shall, if done by one of the registered persons, not be required to be done by any of the other registered persons.

Offences

51.—(1) A contravention, or failure to comply with, any of the provisions of regulations 6, 7, 9, 14, 15, 16(1) to (4), 17 to 32, 34 to 42 and 44 to 49 shall be an offence.

(2) The Commission shall not bring proceedings against a person in respect of any contravention or failure to comply with those regulations unless—

- (a) subject to paragraph (4), he is a registered person;
- (b) notice has been given to him in accordance with paragraph (3);
- (c) the period specified in the notice, beginning with the date of the notice has expired; and
- (d) the person contravenes or fails to comply with any of the provisions of the regulations mentioned in the notice.

(3) Where the Commission considers that the registered person has contravened or failed to comply with any of the provisions of the regulations mentioned in paragraph (1), it may serve a notice on the registered person specifying—

- (a) in what respect in its opinion the registered person has contravened or is contravening any of the regulations, or has failed or is failing to comply with the requirements of any of the regulations;
- (b) what action, in the opinion of the Commission, the registered person should take so as to comply with any of those regulations; and
- (c) the period, not exceeding three months beginning on the date on which the notice is given, within which the registered person should take action.

(4) The Commission may bring proceedings against a person who was once, but no longer is a registered person, in respect of a failure to comply with regulation 21 and for this purpose, references in paragraphs (2) and (3) to a registered person shall be taken to include such a person.