
STATUTORY INSTRUMENTS

2002 No. 57

The Fostering Services Regulations 2002

PART VII

FOSTERING AGENCIES—MISCELLANEOUS

Offences

48.—(1) A contravention or failure to comply with any of the provisions of regulations 3 to 23 and 42 to 46 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 has expired;
- (d) the registered 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, 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 22 or 32, and for this purpose, references in paragraphs (2) and (3) to a registered person shall be taken to include such a person.