
WELSH STATUTORY INSTRUMENTS

2003 No. 2527

The Nurses Agencies (Wales) Regulations 2003

PART IV

MISCELLANEOUS

Compliance with regulations

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

Offences

27.—(1) A contravention or failure to comply with any of the provisions of regulations 4 to 23 shall be an offence.

(2) The National Assembly 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 17.

Fees

28.—(1) The Registration of Social Care and Independent Healthcare (Fees) (Wales) Regulations 2002⁽¹⁾ are amended in accordance with the following provisions of this regulation.

(2) In the paragraph headed “Arrangement of Regulations”, the following line is added at the end “13. Annual fee – nurses agencies”.

(3) In regulation 2(1) —

(a) after the definition of “the Act” add —

““the 1957 Act” means the Nurses Agencies Act 1957”;

(b) after the words

““agency” means a fostering agency”

add the words “or nurses agency”;

(c) in the definition of “existing undertaking” add at the appropriate place —

“(e) a nurses agency that is licensed immediately before 2nd October 2003 under the 1957 Act;”.

(4) After regulation 12 (Annual fee – fostering agencies and local authority fostering services), insert the following regulation —

“Annual fee – nurses agencies

13.—(1) The annual fee in respect of a nurses agency is £500.

(2) The annual fee in respect of a nurses agency shall be first payable by the registered provider on the date specified in respect of him or her in paragraph (3) (“the first date”) and thereafter on the anniversary of the first date.

(3) The specified date is —

(a) in the case of the registered provider of a nurses agency that is an existing undertaking —

(i) in a case where a licence fee was payable under the 1957 Act in respect of the undertaking, the anniversary of the date on which the last fee was payable;

(ii) in any other case, 31st December 2003;

(b) in the case of a registered provider who is a new provider, the date on which a certificate of registration is first issued under Part II of the Act in respect of that registered provider of the nurses agency.”

Registration

29. Regulation 2(1) of the Registration of Social Care and Independent Health Care (Wales) Regulations 2002 (2) is amended as follows —

(a) in the definition of “appropriate office of the National Assembly”, after sub-paragraph (e) insert —

“(f) (i) if an office has been specified under regulation 2(4) of the Nurses Agencies (Wales) Regulations 2003 (3), that office;

(ii) in any other case, any office of the National Assembly.”

(b) in the definition of “statement of purpose”, after sub-paragraph (e) insert —

“(f) in relation to a nurses agency, the written statement required to be compiled in relation to the nurses agency in accordance with regulation 4(1) of the Nurses Agency (Wales) Regulations 2003.”

Transitional provisions

30. Schedule 5 to these Regulations, which makes transitional provisions, shall have effect.

(2) S.I. 2002/919 (W. 107) as amended by S.I. 2002/237

(3) S.I.