
WELSH STATUTORY INSTRUMENTS

2003 No. 2527

The Nurses Agencies (Wales) Regulations 2003

PART II

REGISTERED PERSONS

Fitness of registered provider

- 7.—(1) A person must not carry on an agency unless that person is fit to do so.
- (2) A person is not fit to carry on an agency unless the person —
- (a) is an individual who satisfies the requirements set out in paragraph (3); or
 - (b) is an organisation and —
 - (i) the organisation has given notice to the appropriate office of the National Assembly of the name, address and position in the organisation of an individual (in these Regulations referred to as “the responsible individual”) who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the agency; and
 - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that —
- (a) the individual is of integrity and good character;
 - (b) the individual is physically and mentally fit to carry on the agency; and
 - (c) full and satisfactory information is available in relation to the individual —
 - (i) except where paragraph (4) applies, in respect of each matter specified in paragraphs 1 to 8 of Schedule 2;
 - (ii) where paragraph (4) applies, in respect of each matter specified in paragraphs 1 and 3 to 9 of Schedule 2.
- (4) This paragraph applies where an individual has applied for a certificate referred to in paragraph 2 of Schedule 2 but the certificate has not been issued.
- (5) A person must not carry on an agency if —
- (a) he or she has been adjudged bankrupt or sequestration of his or her estate has been awarded and (in either case) he or she has not been discharged and the bankruptcy order has not been annulled or rescinded; or
 - (b) he or she has made a composition or arrangement with his or her creditors and has not been discharged in respect of it.