
WELSH STATUTORY INSTRUMENTS

2017 No. 1326

**The Regulation and Inspection of Social Care
(Wales) Act 2016 (Commencement No. 5, Savings,
Transitory and Transitional Provisions) Order 2017**

Transitional disapplication of section 5 of the Act

4.—(1) Section 5 of the Act (requirement to register) does not apply to a CSA provider during the transition period.

(2) Subject to paragraph (4), the “transition period” for a CSA provider is the period beginning with the principal appointed day and ending on the earlier of—

- (a) the relevant date as specified in paragraph (3); or
- (b) the date on which an application to register in respect of a transition service is finally determined.

(3) Subject to article 5, the relevant date is—

- (a) 30 June 2018 for a CSA provider who is registered in respect of a care home, children’s home, children’s home providing accommodation for the purpose of restricting liberty or residential family centre;
- (b) 31 August 2018 for a CSA provider who is registered in respect of a domiciliary care agency but who is not also registered in respect of an establishment of a type mentioned in subparagraph (a).

(4) Where an establishment or agency in respect of which a CSA provider is registered becomes a transition service because it is specified in an application to register under section 6 of the Act so as to bring it within the definition of a transition service in article 3, the transition period referred to in paragraph (2) is extended to the date when the application is finally determined.

(5) Reference in this article to the time when an application under section 6 of the Act is finally determined includes—

- (a) the expiry of any time allowed under section 18(2) of the Act for the making of representations against a notice of proposal;
- (b) the expiry of any time allowed for bringing an appeal under section 26(1) of the Act against a notice issued under section 19(4) of the Act;
- (c) the determination or abandonment of any such appeal.