



# Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

## PART 7

### ORDERS PROHIBITING WORK IN SOCIAL CARE: UNREGISTERED PERSONS

#### 165 Designation of regulated activity

- (1) The Welsh Ministers may by regulations—
  - (a) designate an activity to which subsection (2) applies as a regulated activity for the purposes of this Part, and
  - (b) authorise the making of prohibition orders in respect of the regulated activity.
- (2) The activities to which this subsection applies are—
  - (a) practising as a social care worker of a prescribed description;
  - (b) carrying out a prescribed activity as a social care worker;
  - (c) the use by an individual of a prescribed title relating to an activity within paragraph (a) or (b).
- (3) In subsection (2) references to “social care worker” do not include a reference to—
  - (a) a social worker, or
  - (b) a social care worker of a description specified for the time being by regulations under section 80(1)(b) (descriptions of social care worker in respect of whom SCW keeps an added part of the register).
- (4) In this Part “prohibition order” means an order made by a fitness to practise panel prohibiting a person from carrying out a regulated activity.
- (5) Before making regulations under this section the Welsh Ministers must consult any persons they think appropriate.
- (6) But the requirement to consult does not apply to regulations which—
  - (a) amend other regulations made under this section, and

*Status: This is the original version (as it was originally enacted).*

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- (b) do not, in the opinion of the Welsh Ministers, effect any substantial change in the provision made by the regulations to be amended.