



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 1

REGULATION OF SOCIAL CARE SERVICES

CHAPTER 2

REGISTRATION ETC. OF SERVICE PROVIDERS

Urgent action

23 Urgent cancellation or variation of services or places

- (1) The Welsh Ministers may apply to a justice of the peace for an order authorising them—
- (a) to cancel the registration of a service provider, or
 - (b) to vary the registration of a service provider by removing from the registration—
 - (i) a regulated service, or
 - (ii) a place at, from or in relation to which the provider is providing a regulated service.
- (2) The Welsh Ministers may apply for an order under subsection (1) only on the ground that unless the registration is cancelled or varied there is a serious risk—
- (a) to a person's—
 - (i) life, or
 - (ii) physical or mental health, or
 - (b) of a person suffering from abuse or neglect.

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Section 23. (See end of Document for details)

- (3) As soon as practicable after making an application under subsection (1) the Welsh Ministers must notify—
- (a) each local authority and Local Health Board in whose area the service provider provides a regulated service, and
 - (b) any other person the Welsh Ministers think it appropriate to notify.
- (4) The justice of the peace may make the order only if the justice is satisfied as to the ground on which the Welsh Ministers made the application.
- (5) An order under this section may be made in the absence of the service provider to whom it relates if the justice of the peace is satisfied that—
- (a) the Welsh Ministers have taken all reasonable steps to notify the service provider of their intention to apply for an order under this section, or
 - (b) it is not appropriate to take any such steps.
- (6) An order made under this section has effect—
- (a) as soon as it is made, or
 - (b) at such other time as the justice of the peace thinks appropriate.
- (7) In particular, the justice of the peace may specify that the order is not to take effect until such time following the giving of notice under section 24(1) as the justice thinks appropriate.

Commencement Information

II S. 23 in force at 2.4.2018 by [S.I. 2017/1326](#), [art. 2\(3\)\(d\)](#)

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