



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

2016 anaw 2

## PART 1

### REGULATION OF SOCIAL CARE SERVICES

#### CHAPTER 7

##### MARKET OVERSIGHT

###### **62 Informing local authorities where failure of service provider likely**

- (1) This section applies where the Welsh Ministers are satisfied that a service provider to which section 61 applies is likely to become unable to provide a regulated service in respect of which it is registered because of business failure as mentioned in section 189 of the 2014 Act (provider failure: temporary duty on local authority).
- (2) The Welsh Ministers must inform the local authorities which they think will be required to carry out the duty under section 189(2) of the 2014 Act if the service provider becomes unable to provide the regulated service in question.
- (3) The Welsh Ministers may require the service provider, or such other person involved in the service provider's business as they think appropriate, to provide them with any information they think necessary or expedient to obtain for the purpose of assisting a local authority to carry out the duty under section 189(2) of the 2014 Act.
- (4) But the Welsh Ministers may not require a person to provide information if disclosure of that information is prohibited by any enactment or other rule of law.
- (5) The power to require information under subsection (3) includes—
  - (a) power to require copies of any documents or records (including medical and other personal records), and
  - (b) power to require the provision of information in legible form.