

# CARE STANDARDS ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part II Establishments and Agencies

#### Registration

##### *Section 14 Cancellation of registration*

71. This section gives the registration authority the power to cancel the registration of a person in respect of an establishment or agency, where a condition of registration has been breached, where a regulatory requirement has been breached or where a relevant offence has been committed. Further grounds for cancelling registration may be specified in regulations. Registration can be formally cancelled, even if an owner closes the establishment or agency before the cancellation process has been completed. This will ensure that the owner's record accurately reflects the situation, and they will not be able to open a new home elsewhere without the registration authority being aware of the previous history.
72. Relevant offences for the purposes of section 14 are -
- failure to comply with conditions (*section 24*);
  - contravention of regulations (*section 25*);
  - false description of an establishment or agency (*section 26*);
  - false statements in applications (*section 27*);
  - failure to display a certificate of registration (*section 28*);
  - obstructing an inspector (*section 31*);
  - the offence of contravening regulations under section 9(2) of the Adoption Act 1976;
  - any offence under the Children Act 1989 or any regulations made under it;
  - offences under regulations made under section 1(3) of the Adoption (Inter-country Aspects) Act 1999;
  - offences under the Registered Homes Act 1984 or regulations made under it.
73. Cancellation of registration would not normally be the first step in a formal enforcement action. It is more likely to be used where other actions such as prosecution have failed to ensure compliance by the establishment or agency. If a registered person is convicted of a relevant offence, such as breaching a condition of registration (an offence under *section 24*), and still fails to remedy the breach, the registration authority will be able to consider cancellation of the person's registration.