
WELSH STATUTORY INSTRUMENTS

2002 No. 919

**The Registration of Social Care and Independent
Health Care (Wales) Regulations 2002**

PART V—

CANCELLATION OF REGISTRATION

Cancellation of registration

14. The following grounds are specified for the purposes of section 14(1)(d) of the Act as grounds on which the National Assembly may cancel the registration of a person in respect of an establishment—

- (a) the person has failed to pay at the time prescribed under subsection (3) of section 16 of the Act the annual fee payable by him or her by virtue of that subsection;
- (b) the person has in relation to any application by him or her—
 - (i) for registration; or
 - (ii) for the variation or removal of a condition in relation to his or her registration, made a statement which is false or misleading in a material respect or provided false information;
- (c) the establishment has ceased to be financially viable, or is likely to cease to be so within the next six months.

Application for cancellation of registration

15.—(1) In this regulation—

“application for cancellation” means an application by the registered person under section 15(1)(b) of the Act for the cancellation of his or her registration;

“notice of application for cancellation” means a notice by the registered person stating that he or her has made, or intends to make, an application for cancellation;

“proposed effective date” means the date requested by the registered person as the date on which the cancellation applied for is to take effect.

(2) An application for cancellation shall be—

- (a) made in writing on a form approved by the National Assembly;
- (b) sent or delivered to the appropriate office of the National Assembly not less than three months before the proposed effective date or such shorter period (if any) before that date as may be agreed with the National Assembly;
- (c) accompanied by the information specified in paragraph (4).

(3) If the registered person makes an application for cancellation he or she shall not more than seven days thereafter give notice of application for cancellation to each of the persons specified in

paragraph (4)(d), other than a person to whom the registered person has given such notice within three months before he or she made the application for cancellation.

- (4) The following information is specified—
- (a) the proposed effective date;
 - (b) a statement as to the arrangements (if any) that have been made by the registered person to ensure that on and after—
 - (i) the date of application for cancellation; and
 - (ii) the proposed effective date,service users will continue to be provided with similar accommodation (if any) and services as those provided to them in the establishment at the date on which the application for cancellation is made;
 - (c) the registered person’s reasons for making the application for cancellation;
 - (d) particulars of any notice of application for cancellation that has been given to any of the following persons—
 - (i) service users;
 - (ii) persons who appear to the registered person to be representatives of service users;
 - (iii) the local authority and Health Authority in whose areas the establishment is situated;
 - (e) where the registered person has not given notice of application for cancellation to—
 - (i) each service user;
 - (ii) in respect of each service user, a person who appears to the registered person to be a representative of that service user; and
 - (iii) each of the bodies specified in sub-paragraph (4)(d)(iii),a statement as to whether there were any circumstances which prevented the registered person from giving, or made it impracticable for him or her to give, notice of application for cancellation to any of the persons or bodies referred to in heads (i) to (iii) of this subparagraph before the date on which he or she applied for cancellation;
 - (f) where the registered person has applied for cancellation less than three months before the proposed effective date, a report as to whether the establishment has ceased, or is likely to cease within the next following twelve months, to be financially viable.

(5) The registered person shall provide the National Assembly with any other information or any documents that it may reasonably require in relation to his or her application for cancellation.