
STATUTORY INSTRUMENTS

2010 No. 781

The Health and Social Care Act 2008
(Regulated Activities) Regulations 2010

PART 5

COMPLIANCE AND OFFENCES

Offences

- 27.—(1) A failure to comply with any of the provisions of regulations 9 to 24 shall be an offence.
- (2) The Commission may not bring proceedings in respect of a failure by a registered person to comply with any of those provisions unless—
- (a) the alleged failure is one in respect of which the Commission has given a warning notice to the registered person under section 29 of the Act;
 - (b) that warning notice specified a time within which the registered person must take action to secure compliance pursuant to section 29(2)(c)(ii) of the Act; and
 - (c) the registered person did not secure compliance within the specified time.
- (3) A person guilty of an offence under paragraph (1) is liable, on summary conviction, to a fine not exceeding £50,000.
- (4) In any proceedings for an offence under this regulation, it is a defence for the registered person to prove that they took all reasonable steps or exercised all due diligence to ensure that the provision in question was complied with.