
WELSH STATUTORY INSTRUMENTS

2019 No. 163

The Adult Placement Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019

PART 17

Offences

Offences – service providers

64.—(1) It is an offence for a service provider to fail to comply with a requirement of any of the provisions specified in paragraph (2)(1).

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulations 3(3), 3(5), 7(3), 8(1), 8(4), 11(1), 16(1), 16(2), 16(3), 28(1), 31(1), 36(1), 40(1), 40(2), 41(1) and 41(3).

(3) A service provider commits an offence if the service provider fails to comply with a requirement of any of the provisions specified in paragraph (4) and such failure results in—

- (a) avoidable harm (whether of a physical or psychological nature) to an individual,
- (b) an individual being exposed to a significant risk of such harm occurring, or
- (c) in a case of theft, misuse or misappropriation of money or property, any loss by an individual of the money or property concerned.

(4) The provisions specified for the purposes of paragraph (3) are the provisions of regulations 2, 3(1), 10(1), 10(3), 13(1), 13(3), 13(5), 14(1), 14(4), 17(1), 17(2), 21 and 27(1).

Offences – responsible individuals

65.—(1) It is an offence for the responsible individual to fail to comply with a requirement of any of the provisions specified in paragraph (2)(2).

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulations 46(1), 47(1), 50(1), 50(2), 52(1), 52(2), 53(1), 53(2), 54(1), 59(4), 60(1), 63(1) and 63(3).

(1) For penalties upon conviction for an offence under this regulation, *see* section 51(1) of the Act.

(2) For penalties upon conviction for an offence under this regulation, *see* section 51(1) of the Act.