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STATUTORY RULES OF NORTHERN IRELAND

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**2007 No. 235**

**The Domiciliary Care Agencies  
Regulations (Northern Ireland) 2007**

**PART IV**

**MISCELLANEOUS**

**Offences**

**32.**—(1) A contravention of any of the provisions of regulations 5 to 7 and 12 to 28 shall be an offence.

(2) The [F1RQIA] shall not bring proceedings against a person in respect of any contravention of those regulations unless—

- (a) subject to paragraph (4), he is a registered person;
- (b) notice has been given to him in accordance with paragraph (3);
- (c) the period specified in the notice, within which the registered person may make representations to the [F1RQIA], has expired; and
- (d) in a case where, in accordance with paragraph (3)(b), the notice specifies any action that is to be taken within a specified period, the period has expired and the action has not been taken within that period.

(3) Where the [F1RQIA] considers that the registered person has contravened any of the provisions of the regulations mentioned in paragraph (1), it may serve a notice on the registered person specifying—

- (a) in what respect in its opinion the registered person has contravened any of the regulations;
- (b) where it is practicable for the registered person to take action for the purpose of complying with any of those regulations, the action which, in the opinion of the [F1RQIA], the registered person should take for that purpose;
- (c) the period, not exceeding three months, within which the registered person should take any action specified in accordance with sub-paragraph (b);
- (d) the period, not exceeding one month, within which the registered person may make representations to the [F1RQIA] about the notice.

(4) The [F1RQIA] may bring proceedings against a person who was once, but no longer is, a registered person, in respect of a failure to comply with regulation 21, and for this purpose, references in paragraphs (2) and (3) to a registered person shall be taken to include such a person.

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**F1** Words in Regulations substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(a\)](#) (with [Sch. para. 1\(2\)](#))

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**Changes to legislation:** There are currently no known outstanding effects for the The Domiciliary Care Agencies Regulations (Northern Ireland) 2007, Section 32. (See end of Document for details)

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**Commencement Information**

**11** Reg. 32 in operation at 30.4.2007, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Domiciliary Care Agencies Regulations (Northern Ireland) 2007, Section 32.