
WELSH STATUTORY INSTRUMENTS

2002 No. 327

The Children's Homes (Wales) Regulations 2002

PART II

REGISTERED PERSONS

Fitness of registered provider

- 6.—**(1) A person shall not carry on a children's home unless fit to do so.
- (2) A person is not fit to carry on a children's home unless the person—
- (a) is an individual who satisfies the requirements set out in paragraph (3); or
 - (b) is an organisation and—
 - (i) it has given notice to the appropriate office of the National Assembly of the name, address and position in the organisation of an individual (in these Regulations referred to as “the responsible individual”) who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the children's home; and
 - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that—
- (a) he or she is of suitable integrity and good character to carry on, or (as the case may be) be responsible for supervising the management of, the children's home;
 - (b) he or she is physically and mentally fit to carry on, or (as the case may be) be responsible for supervising the management of, the children's home; and
 - (c) full and satisfactory information or documentation is available in relation to him or her—
 - (i) except where paragraph (4) applies, in respect of each matter specified in paragraphs 1 to 6 of Schedule 2;
 - (ii) where paragraph (4) applies, in respect of each matter specified in paragraphs 1 and 3 to 7 of Schedule 2.
- (4) This paragraph applies where any certificate or information on any matters specified in paragraph 2 of Schedule 2 is not available to an individual because any provision of the Police Act 1997(1) has not been brought into force.
- (5) A person is not fit to carry on a children's home if—
- (a) he or she has been adjudged bankrupt or sequestration of his or her estate has been awarded and (in either case) he or she has not been discharged and the bankruptcy order has not been annulled or rescinded; or
 - (b) he or she has made a composition or arrangement with his creditors and has not been discharged in respect of it.

(1) 1997 c. 50. Sections 113 and 115, as amended, have not yet been brought into force. See further the footnotes to paragraph 2 of Schedule 2 to these regulations.

Status: *This is the original version (as it was originally made).*
