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WELSH STATUTORY INSTRUMENTS

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**2004 No. 1756**

**The Adult Placement Schemes (Wales) Regulations 2004**

**PART II**

**REGISTERED PERSONS**

**Fitness of registered provider**

- 8.—**(1) A person must not provide an adult placement scheme unless fit to do so.
- (2) A person is not fit to provide an adult placement scheme unless the person —
- (a) is an individual who provides an adult placement scheme —
    - (i) otherwise than in partnership with others and he or she satisfies the requirements of paragraph (3); or
    - (ii) in partnership with others and he or she and each of the partners 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 senior officer of the organisation and is responsible for the management of the scheme; and
    - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that —
- (a) the person is of integrity and good character;
  - (b) the person is physically and mentally fit to provide or (as the case may be) be responsible for the management of the scheme; and
  - (c) full and satisfactory information or (as the case may be) documentation in respect of each of the matters listed in Schedule 3 is available in relation to the person.
- (4) A person is not fit to provide an adult placement scheme 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been awarded and (in either case) he or she has not been discharged and the bankruptcy order has not been annulled or rescinded; or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, or granted a trust deed for, his or her creditors and has not been discharged in respect of it.