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WELSH STATUTORY INSTRUMENTS

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**2004 No. 219**

**The Domiciliary Care Agencies (Wales) Regulations 2004**

**PART II**

**REGISTERED PERSONS**

**Appointment of manager**

9.—(1) The registered provider shall appoint an individual to manage the agency if —

- (a) there is no registered manager in respect of the agency; and
- (b) the registered provider —
  - (i) is an organisation;
  - (ii) carries on the agency in partnership;
  - (iii) is not a fit person to manage an agency; or
  - (iv) is not, or does not intend to be, in full time day to day charge of the agency.

(2) Where —

- (a) the registered provider, or
- (b) if an appointment has been made under paragraph (1), the registered manager,

proposes to be, is likely to be, or has been, absent from the agency for a continuous period of 28 days or more, the registered provider shall appoint an individual to manage the agency during the provider's or (as the case may be) the registered manager's absence.

(3) Where the registered provider appoints a person to manage the agency, he or she shall forthwith give notice to the appropriate office of the National Assembly of —

- (a) the name of the person so appointed; and
- (b) subject to registration, the date on which the appointment is to take effect.

(4) The registered person shall nominate a person to be in charge at all times when the agency is open for business and the registered person is absent from the premises.

(5) A person may not be nominated for the purpose of paragraph (4) unless full and satisfactory information in respect of each of the matters listed in Schedule 2 is available in relation to him or her and has been provided to the National Assembly, except that the information required in paragraphs 10 and 11 of Schedule 3 must be available in substitution for the information required in paragraph 8 of Schedule 2.