
WELSH STATUTORY INSTRUMENTS

2019 No. 762

**The Regulated Adoption Services (Service Providers
and Responsible Individuals) (Wales) Regulations 2019**

PART 16

Offences

Offences – service providers

54.—(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) ^{M1}.

(2) The provisions specified for the purposes of paragraph (1) are the provisions of regulations—

- (a) 5(3) (requirements in relation to statement of purpose);
- (b) 5(5) (requirements in relation to statement of purpose);
- (c) 9(3) (requirements in relation to financial sustainability of the service);
- (d) 10(1) (requirements to provide the service in accordance with policies and procedures);
- (e) 13(1) (information about the service);
- (f) 13(2) (information about the service);
- (g) 13(3) (information about the service);
- (h) 14(1) (service agreement);
- (i) 23(1) (fitness of staff);
- (j) 26(1) (information for staff);
- (k) 30(1) (records);
- (l) 30(2) (records);
- (m) 31(1) (notifications);
- (n) 31(2) (notifications);
- (o) 31(3) (notifications);
- (p) 31(5) (notifications).

(3) A service provider commits an offence if the 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—

- (a) 4 (requirements in relation to the provision of the service);

Changes to legislation: There are currently no known outstanding effects for the The Regulated Adoption Services (Service Providers and Responsible Individuals) (Wales) Regulations 2019, Section 54. (See end of Document for details)

- (b) 5(1) (requirements in relation to the statement of purpose);
- (c) 10(4) (requirements to provide the service in accordance with policies and procedures);
- (d) 12(1) (requirement to ensure suitability of the service);
- (e) 12(3) (requirement to ensure suitability of the service);
- (f) 15(1) (standards of support – overarching requirements);
- (g) 19 (safeguarding – overarching requirement);
- (h) 22 (staffing – overarching requirements).

Commencement Information

II [Reg. 54](#) in force at 29.4.2019, see [reg. 1\(2\)](#)

Marginal Citations

M1 For penalties upon conviction for an offence under this regulation, see [section 51\(1\)](#) of the Act.

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