
WELSH STATUTORY INSTRUMENTS

2019 No. 864

**The Regulation and Inspection of Social Care
(Wales) Act 2016 (Commencement No. 6,
Savings and Transitional Provisions) Order 2019**

Transitional modifications of the Act in relation to providers of relevant services subject to enforcement measures

9.—(1) This article applies to the provider of a relevant service where the provider is also the provider of a transition service, having submitted an application under section 11(1)(a) of the Act before the relevant date in respect of a relevant agency.

(2) Where the Welsh Ministers take enforcement measures against the provider of a relevant service under the Act, the function of determining the application set out in section 12(1) of the Act is modified so that the Welsh Ministers may postpone determining the application until any process related to the enforcement measure is completed.

(3) For the purposes of paragraph (1) the completion of an enforcement measure includes—

- (a) the expiry of any time allowed for the bringing of an appeal under section 26 of the Act; or
- (b) the period until any such appeal has been determined or abandoned.

(4) In this article “enforcement measures” means—

- (a) issuing an improvement notice under section 16(2) of the Act or a notice of decision following a proposal under that section;
- (b) an application for urgent cancellation or variation under section 23 of the Act; or
- (c) issuing a decision notice under section 25 of the Act.