



# **Health and Personal Social Services Act (Northern Ireland) 2001**

## CHAPTER 3

### HEALTH AND PERSONAL SOCIAL SERVICES ACT (NORTHERN IRELAND) 2001

#### PART I

#### SOCIAL CARE WORKERS

##### *Preliminary*

1. The Northern Ireland Social Care Council
2. “Social care worker”, etc.

##### *Registration*

3. The register
4. Applications for registration
5. Grant or refusal of registration
6. Removal, etc. from register
7. Rules about registration
8. Registration – enforcement

##### *Codes of practice*

9. Codes of practice

*Training*

10. Approval of courses, etc.
11. Qualifications gained outside Northern Ireland
12. Post registration training
13. Visitors for certain social work courses
14. Functions of the Department

*Miscellaneous and supplemental*

15. Appeals to the Social Care Tribunal
16. Publication, etc. of register
17. Cesser of functions of CCETSW
18. Rules
19. Default powers of Department
20. Interpretation of this Part – “children’s home”
21. Interpretation of this Part – “residential care home” and “nursing home”
22. Interpretation of this Part – general

PART II

RECOVERY OF CHARGES IN CONNECTION WITH  
THE TREATMENT OF ROAD TRAFFIC CASUALTIES

*Payment for hospital treatment*

23. Payment for hospital treatment of traffic casualties

*Certificates of health services charges*

24. Applications for certificates of health services charges
25. Information contained in certificates

*Recovery of health services charges*

26. Payment of health services charges
27. Recovery of health services charges

*Reviews and appeals*

28. Review of certificates
29. Appeals against a certificate
30. Appeal tribunals
31. Appeal to the court on point of law
32. Reviews and appeals: supplementary

*Information*

33. Provision of information

34. Use of information held by the Department

*Payments to hospitals*

35. Payment of health services charges to hospitals

*Miscellaneous and general*

36. Regulations governing payments into court, etc.
37. Interpretation of this Part
38. Consequential amendments

PART III

HEALTH AND PERSONAL SOCIAL SERVICES – GENERAL

*Fund-holding practices*

39. Repeal of law about fund-holding practices

*Local administration*

40. Remuneration for Part VI services
41. Indemnity cover for Part VI services
42. Local representative committees

*Health and Social Services trusts*

43. Establishment orders
44. Exercise of powers
45. Public dividend capital
46. Existing HSS trusts: conversion of initial loan
47. Borrowing, surplus funds and investment

*Evasion of charges, fraud etc.*

48. Evasion of charges etc.
49. Disqualification of Part VI practitioners

*Miscellaneous*

50. Disclosure of information by the Commissioner for Complaints
51. Provision of information as to births and deaths
52. Liability of officers of Health and Social Services Councils
53. Regulations under section 11 of the Medical Act 1983
54. Public access to meetings of certain bodies
55. Sale of medical practices: goodwill

PART IV

MISCELLANEOUS AND GENERAL

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

*Pharmaceutical chemists*

56. Regulation of the profession of pharmaceutical chemist

*General*

57. Orders, regulations and directions
58. Supplementary and consequential provision
59. Interpretation
60. Amendments and repeals
61. Short title and commencement

---

SCHEDULES

SCHEDULE 1 — THE NORTHERN IRELAND SOCIAL CARE COUNCIL

*Status*

1. The Council shall not be regarded as the servant or...

*General powers*

2. (1) Subject to any directions given by the Department, the...

*General duty*

3. It is the duty of the Council to carry out...

*Membership*

4. The Council shall consist of a chairman and other members...

*Appointment, procedure etc.*

5. The Department may by regulations make provision as to—

*Remuneration and allowances*

6. (1) The Council may pay to its chairman, to any...

*Chief officer*

7. (1) There shall be a chief officer of the Council...

*Staff*

8. (1) The Council may appoint such other staff as it...

*Delegation of functions*

9. The Council may arrange for the discharge of any of...

*Arrangements for the use of staff*

10. The Department may by regulations provide for arrangements under which—...

*Payments to Council*

11. The Department may make payments to the Council of such...

*Accounts*

12. (1) The Council shall keep accounts in such form as...

*Reports and other information*

13. (1) As soon as possible after the end of each...

*Application of seal and evidence*

14. The application of the seal of the Council shall be...  
15. A document purporting to be duly executed under the seal...

*General*

16. In the Northern Ireland Assembly Disqualification Act 1975 (c. 25),...  
17. In the Commissioner for Complaints (Northern Ireland) Order 1996 (NI...  
18. In the Superannuation (Northern Ireland) Order 1972 (NI 10) in...

SCHEDULE 2 — SCHEDULE 11 TO THE PRINCIPAL ORDER, AS SUBSTITUTED

SCHEDULE 3 — SCHEDULE 10 TO THE PRINCIPAL ORDER, AS SUBSTITUTED

SCHEDULE 4 — REGULATION OF THE PROFESSION OF PHARMACEUTICAL CHEMIST

*Matters generally within the scope of an order*

1. An order may make provision, in relation to the profession,...

*Manner of exercise of power*

2. (1) The power to make an order may be exercised...

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

3. The power may be exercised so as to make provision...
4. The power may be exercised so as to make provision...
5. The power may be exercised so as to—
6. The power may not be exercised so as to create...

*Matters outside the scope of an order*

7. (1) An order may not abolish the Council.
8. (1) An order may not provide for any person other...

*Preliminary procedure for making an order*

9. (1) No order shall be made unless a draft of...

*Interpretation and application*

10. In this Schedule— “the Council” means the Council of the...
11. References to regulation of the profession in section 56 include  
—...

SCHEDULE 5 — REPEALS