



2002 CHAPTER 6

Supplementary

Interpretation and regulations

10.—(1) In this Act—

“the 1972 Order” means the [Health and Personal Social Services \(Northern Ireland\) Order 1972 \(NI 14\)](#);

“area”, in relation to an authority, has the same meaning as in the Children Order;

“carer”, in relation to any person (“the person cared for”), means an individual aged 16 or over who provides or intends to provide a substantial amount of care on a regular basis for that person;

“adult” means a person aged 18 or over;

“the Children Order” means the [Children \(Northern Ireland\) Order 1995 \(NI 2\)](#);

“the Department” means the Department of Health, Social Services and Public Safety;

“prescribed” means specified in or determined in accordance with regulations;

“regulations” means regulations made by the Department.

(2) Subject to subsection (1), this Act shall be construed as one with the 1972 Order.

(3) In this Act “authority” means—

(a) in relation to a person who resides in the area of a HSS trust by which functions under this Act are exercisable by virtue of an authorisation for

the time being in operation under Article 3(1) of the [Health and Personal Social Services \(Northern Ireland\) Order 1994 \(NI 2\)](#), that HSS trust; and

(b) in relation to any other person, the Board for the area in which that person resides.

(4) References in this Act (however expressed) to services provided by an authority include services which the authority arranges to provide, where it has power to do so.

(5) Regulations under this Act may include such supplementary, incidental, consequential and transitional provisions and savings as the Department thinks fit.

(6) Regulations under this Act shall be subject to negative resolution.

Commencement

11.—(1) The preceding provisions of this Act come into operation on such day or days as the Department may by order appoint.

(2) An order under this section may contain such transitional provisions and savings as the Department thinks necessary or expedient.

Short title

12. This Act may be cited as the Carers and Direct Payments Act (Northern Ireland) 2002.