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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 99**

The Regulation and Improvement Authority  
(Registration) Regulations (Northern Ireland) 2005

PART I  
GENERAL

**Citation, commencement and extent**

1. These Regulations may be cited as the Regulation and Improvement Authority (Registration) Regulations (Northern Ireland) 2005 and shall come into operation on 1st April 2005.

**Interpretation**

2.—(1) In these Regulations –

“applicant” means a person seeking to be registered;

“placement plan” shall be construed in accordance with Regulation 13 of the Children’s Homes Regulations (Northern Ireland) 2005;

“general medical practitioner” means a medical practitioner providing primary medical services;

“holding company” has the meaning given to it by Article 4 of the Companies (Northern Ireland) Order 1986(1);

“nurse” means a person registered in the register maintained under Article 5 of the Nursing and Midwifery Order 2001(2) by virtue of qualifications in nursing or midwifery;

“nursing agency service user” means a person to whom a nursing agency –

(a) supplies a nurse who is employed by the agency; or

(b) provides services for the purposes of supplying him with a nurse for employment by him;

“the Order” means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;

“organisation” means a body corporate or any unincorporated association other than a partnership;

“registered” means registered under Part III of the Order;

“registered manager” means a person who is registered as the manager of an establishment or agency;

“registered person” means a person who is the registered provider or registered manager in respect of an establishment or agency;

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(1) S.I.1986/1032 (N.I. 6)

(2) S.I. 2002/253

“registered provider” means a person who is registered as a person carrying on an establishment or agency;

“registration” means registration under Part III of the Order;

“the Regulation and Improvement Authority” has the same meaning as in the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003;

“relative”, in relation to any person, means –

- (a) the person’s spouse;
- (b) any parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of his or his spouse;
- (c) the spouse of any relative within sub-paragraph (b) of this definition,

and for the purpose of determining any such relationship a person’s step-child shall be treated as his child, and references to “spouse” in relation to any person include a former spouse and a person who is living with the person as husband and wife;

“representative” means, in relation to a service user, a person, other than the registered person or a person employed at or for the purposes of the establishment or agency, who with the service user’s express or implied consent takes an interest in the service user’s health and welfare;

“responsible individual” means an individual who is a director, manager, secretary or other officer of an organisation and is responsible for supervising the management of an establishment or agency;

“responsible person” means –

- (a) where the applicant is an individual –
  - (i) the applicant; and
  - (ii) if the applicant carries on or intends to carry on the establishment or agency in partnership with others, each partner of his;
- (b) where the applicant is a partnership, each member of the partnership;
- (c) where the applicant is an organisation, the responsible individual;

“service user” means any person who is to be provided with accommodation or services in an establishment, or by an agency;

“statement of purpose” means –

- (a) in relation to a residential care home, the written statement required to be compiled in relation to the residential care home in accordance with regulation 4 of the Residential Care Home Regulations (Northern Ireland) 2005(3);
- (b) in relation to a nursing home, the written statement required to be compiled in relation to the nursing home in accordance with regulation 4 of the Nursing Homes Regulations (Northern Ireland) 2005(4);
- (c) in relation to a children’s home, the written statement required to be compiled in relation to the children’s home in accordance with regulation 4 of the Children’s Homes Regulations (Northern Ireland) 2005(5);
- (d) in relation to an independent hospital, independent clinic or independent medical agency, the written statement required to be compiled in relation to the independent hospital,

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(3) S.R. 2005/161  
(4) S.R. 2005/160  
(5) S.R. 2005/176

independent clinic or independent medical agency in accordance with regulation 6 of the Independent Health Care Regulations (Northern Ireland) 2005(6);

- (e) in relation to a nursing agency the written statement required to be completed in relation to the Nursing Agencies Regulations (Northern Ireland) 2005(7);
- (f) in relation to an establishment or agency of any other description, a written statement of the aims and objectives of the establishment or agency;

“subsidiary” has the meaning given to it by Article 4 of the Companies (Northern Ireland) Order 1986(8).

(2) In these Regulations, references to an establishment or agency are to be construed as references –

- (a) in the case of an applicant, to the establishment or agency in respect of which he is seeking to be registered;
- (b) in the case of a registered person, to the establishment or agency in respect of which he is registered.

(3) In these Regulations –

- (a) references to the supply of a nurse mean –
  - (i) the supply of a nurse who is employed for the purposes of a nursing agency to act for and under the control of another person; and
  - (ii) the introduction of a nurse by a nursing agency to a nursing agency service user for employment by him.

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(6) S.R. 2005/174

(7) S.R. 2005/175

(8) S.I. 1986/1032 (N.I. 6)