
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 221

**The Adult Placement Agencies
Regulations (Northern Ireland) 2007**

PART V

MISCELLANEOUS

Compliance with regulations

38. Where there is more than one registered person in respect of an agency, anything which is required under these Regulations to be done by the registered person shall, if done by one of the registered persons, not be required to be done by any of the other registered persons.

Commencement Information

II [Reg. 38](#) in operation at 30.4.2007, see [reg. 1](#)

Offences

39.—(1) A contravention or failure to comply with any of the provisions of regulations 3 to 35 shall be an offence.

(2) The Regulation and Improvement Authority shall not bring proceedings against a person in respect of any contravention, or failure to comply with those regulations unless—

- (a) subject to paragraph (4), he is a registered person;
- (b) notice has been given to him in accordance with paragraph (3);
- (c) the period specified in the notice has expired; and
- (d) the person contravenes any of the provisions of the regulations mentioned in the notice.

(3) Where the Regulation and Improvement Authority considers that the registered person has contravened any of the provisions of the regulations mentioned in paragraph (1), it may serve a notice on the registered person specifying—

- (a) in what respect in its opinion the registered person has contravened any of the regulations;
- (b) what action in the opinion of the Regulation and Improvement Authority, the registered person should take so as to comply with any of those regulations;
- (c) the period, not exceeding three months, within which the registered person should take any action; and
- (d) the period, not exceeding one month, within which the registered person may make representations to the Regulation and Improvement Authority about the notice.

(4) The Regulation and Improvement Authority may bring proceedings against a person who was once, but no longer is, a registered person, in respect of a failure to comply with regulation 21,

and for this purpose, references in paragraphs (2) and (3) to a registered person shall be taken to include such a person.

Commencement Information

I2 [Reg. 39](#) in operation at 30.4.2007, see [reg. 1](#)

Transitional provisions

40.—(1) This regulation applies to persons who, by virtue of the provisions of the Order and these regulations, are required to be registered under Part III of the Order but who immediately prior to 30th April 2007 were not required to be so registered.

(2) Where paragraph (1) applies, a person who immediately prior to 30th April 2007, was carrying on or managing an adult placement agency may continue to carry on or manage the agency—

- (a) during a period of 12 months beginning on and including 30th April 2007; and
- (b) if, within that period, an application is made to the Regulation and Improvement Authority for registration under Part III of the Order until that application is finally disposed of or withdrawn.

(3) Where paragraph (2) applies, Articles 12 (1), (4), and (5) of the Order shall not apply to such a person.

(4) In this regulation “finally disposed of” means the date 28 days following the grant or refusal of registration and, if an appeal is made, the date when the appeal is finally determined or abandoned.

Commencement Information

I3 [Reg. 40](#) in operation at 30.4.2007, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Adult Placement Agencies Regulations (Northern Ireland) 2007, PART V.