
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 235

**The Domiciliary Care Agencies
Regulations (Northern Ireland) 2007**

PART II

REGISTERED PERSONS

Fitness of registered provider

- 8.—**(1) A person shall not carry on an agency unless he is fit to do so.
- (2) A person is not fit to carry on an agency unless the person—
- (a) is an individual, who carries on the agency—
 - (i) otherwise than in partnership with others, and he satisfies the requirements set out in paragraph (3);
 - (ii) in partnership with others, and he and each of his partners satisfies the requirements set out in paragraph (3);
 - (b) is a partnership, and each of the partners satisfies the requirements set out in paragraph (3);
 - (c) is an organisation and—
 - (i) the organisation has given notice to the [F1RQIA] of the name, address and position in the organisation of an individual (in these Regulations referred to as “the responsible individual”) who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the agency; and
 - (ii) that individual satisfies the requirements set out in paragraph (3).
- (3) The requirements are that—
- (a) he is of integrity and good character;
 - (b) he is physically and mentally fit to carry on the agency; and
 - (c) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 2.
- (4) A person shall not carry on an agency if—
- (a) he has been adjudged bankrupt or sequestration of his estate has been awarded and (in either case) he has not been discharged and the bankruptcy order has not been annulled or rescinded; or
 - [F2(ab) he is the subject of a bankruptcy restrictions order; or]
 - [F3(ac) he is a person in relation to whom a moratorium period under a debt relief order applies or he is the subject of a debt relief restrictions order ; or]
 - (b) he has made a composition or arrangement with his creditors and has not been discharged in respect of it.

Changes to legislation: There are currently no known outstanding effects for the The Domiciliary Care Agencies Regulations (Northern Ireland) 2007, Section 8. (See end of Document for details)

- F1** Words in Regulations substituted (11.4.2014) by Health and Social Care (Amendment) Act (Northern Ireland) 2014 (c. 5), **Sch. para. 1(1)(a)** (with Sch. para. 1(2))
- F2** Reg. 8(4)(ab) inserted (21.4.2015) by The Insolvency (Northern Ireland) Order 2005 (Consequential Amendments) Order (Northern Ireland) 2015 (S.R. 2015/159), art. 1, **Sch. para. 42(3)**
- F3** Reg. 8(4)(ac) inserted (7.3.2016) by The Debt Relief Act (Northern Ireland) 2010 (Consequential Amendments) Order (Northern Ireland) 2016 (S.R. 2016/108), art. 1, **Sch. para. 49(3)**

Commencement Information

- I1** Reg. 8 in operation at 30.4.2007, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Domiciliary Care Agencies Regulations (Northern Ireland) 2007, Section 8.