

EXPLANATORY MEMORANDUM TO

Mental Health (Private Hospitals) (Fees) Regulations (Northern Ireland) 2012

SR 2012 No. 401

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 91 and 135 of the Mental Health (Northern Ireland) Order 1986 ("the Order") and is subject to the negative resolution procedure.

2. Purpose

- 2.1. These Regulations prescribe the amount of the fee to accompany an application made under Article 91 of the Order for registration of a private hospital by the Department.

3. Background

- 3.1. Under the Regulation and Improvement Authority (Independent Health Care) (Fees and Frequency of Inspection) (Amendment) Regulations (Northern Ireland) 2010, a private facility may open for the treatment of mental health patients, subject to inspection by, and registration with, RQIA.
- 3.2. As a fee is payable to RQIA for such registration, the Department has prescribed the amount payable on application for registration under Article 91 as nil.

4. Consultation

- 4.1. As the Department is setting the prescribed amount at nil, it was not considered that consultation was required.

5. Equality Impact

- 5.1. The Department considered that the introduction of these Regulations would not have an adverse differential impact and did not, therefore, require to be subjected to a full equality impact assessment.

6. Regulatory Impact

- 6.1. It is not considered that these Regulations will have a negative impact on businesses or charities, indeed the Regulations will be beneficial to business.

7. Financial Implications

- 7.1. These Regulations have no financial impact on the statutory sector.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. These regulations do not introduce any measures which will fail to meet compliance with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.