STATUTORY INSTRUMENTS

1992 No. 3204

The Registered Homes (Northern Ireland) Order 1992

PART III

NURSING HOMES

Meaning of"nursing home"

- **16.**—(1) Subject to paragraph (2), in this Order "nursing home" means—
 - (a) any premises used, or intended to be used, for the reception of, and the provision of nursing for, persons suffering from any illness, injury or infirmity;
 - (b) any maternity home; and
 - (c) any premises not falling within either of the preceding sub-paragraphs which are used, or intended to be used, for the provision of all or any of the following services, namely—
 - (i) the carrying out of surgical procedures under anaesthesia;
 - (ii) endoscopy;
 - (iii) haemodialysis or peritoneal dialysis;
 - (iv) treatment by specially controlled techniques.
- (2) The definition in paragraph (1) does not include—
 - (a) any hospital which is vested in the Department or managed by an HSS trust;
 - (b) any premises managed or provided by a government department, a Board, an HSS trust, or by any other body constituted by a statutory provision or incorporated by Royal Charter;
 - (c) any private hospital, as defined in Article 90(2) of the Mental Health (Northern Ireland) Order 1986(1);
 - (d) any voluntary home or HSS home within the meaning of the Children and Young Persons Act (Northern Ireland) 1968(2) or any home or hostel provided under Part VII of that Act;
 - (e) any sanatorium provided at a school or educational establishment and used, or intended to be used, solely by persons in attendance at, or members of the staff of, that school or establishment or members of their families; 1966 c. 26 (N.I.)
 - (f) any first aid or treatment room provided at premises to which the Factories Act (Northern Ireland) 1965(3) or the Office and Shop Premises Act (Northern Ireland) 1966(4) applies or at a sports ground, show ground or place of public entertainment;
 - (g) any premises used, or intended to be used, wholly or mainly—
 - (i) by a medical practitioner for the purpose of consultations with his patients;
 - (ii) by a dental practitioner or chiropodist for the purpose of treating his patients; or

^{(1) 1986} NI 4

^{(2) 1968} c. 34 (N.I.)

^{(3) 1965} c. 20 (N.I.)

^{(4) 1966} c. 20 (N.I.)

- (iii) for the provision of occupational health facilities, unless they are used, or intended to be used, for the provision of treatment by specially controlled techniques and are not excepted by regulations under sub-paragraph(i);
- (h) any premises used, or intended to be used, wholly or mainly as a private dwelling; or
- (i) any other premises excepted from that definition by regulations.
- (3) In paragraph (1) "specially controlled techniques" means techniques specified under paragraph (4) as subject to control for the purposes of this Part.
- (4) The Department may by regulations specify as subject to control for the purposes of this Part any technique of medicine or surgery (including cosmetic surgery) as to which it is satisfied that its use may create a hazard for persons treated by means of it or for the staff of any premises where the technique is used.
- (5) Regulations under paragraph (4) may define a technique by reference to any criteria which the Department considers appropriate.
 - (6) In this Article "treatment" includes diagnosis and "treated" shall be construed accordingly.