
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART XVII

MISCELLANEOUS AND GENERAL

Children accommodated in certain establishments

Children accommodated in certain homes and in private hospitals

175.—(1) Where a child is provided with accommodation in any residential care home, nursing home or private hospital—

- (a) for a consecutive period of at least three months; or
- (b) with the intention, on the part of the person taking the decision to accommodate him, of accommodating him for such a period,

the person carrying on the home or hospital shall notify the authority within whose area the home or hospital is carried on.

(2) Where paragraph (1) applies with respect to a child, the person carrying on the home or hospital shall also notify that authority when he ceases to accommodate the child.

(3) Where an authority has been notified under this Article, it shall—

- (a) take such steps as are reasonably practicable to enable it to determine whether the child's welfare is adequately safeguarded and promoted while he is accommodated in the home or hospital; and
- (b) consider the extent to which (if at all) the authority should exercise any of its functions under this Order with respect to the child.

(4) If the person carrying on any home or hospital fails, without reasonable excuse, to comply with this Article he shall be guilty of an offence.

(5) A person authorised by an authority may enter any residential care home, nursing home or private hospital within the authority's area for the purpose of establishing whether the requirements of this Article have been complied with.

(6) Any person who intentionally obstructs another in the exercise of the power of entry shall be guilty of an offence.

(7) Any person exercising the power of entry shall, if so required, produce some duly authenticated document showing his authority to do so.

(8) Any person guilty of an offence under this Article shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.