
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART VIII

VOLUNTARY HOMES AND VOLUNTARY ORGANISATIONS

Voluntary homes

Persons disqualified from carrying on, or being employed in, voluntary homes

78.—(1) A person who is disqualified (under Article 109) from fostering a child privately shall not carry on, or be otherwise concerned in the management of, or have any financial interest in, a voluntary home unless he has—

- (a) disclosed to the authority the fact that he is so disqualified; and
- (b) obtained the consent of the authority in writing.

(2) No person shall employ a person who is so disqualified in a voluntary home unless he has—

- (a) disclosed to the authority the fact that that person is so disqualified; and
- (b) obtained the consent of the authority in writing.

(3) Where an authority refuses to give its consent under this Article, the authority shall inform the applicant by a notice which states—

- (a) the reason for the refusal;
- (b) the applicant's right to appeal against the refusal to a Registered Homes Tribunal under Article 87; and
- (c) the time within which he may do so.

(4) Any person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or to both.

(5) Where a person contravenes paragraph (2) he shall not be guilty of an offence if he proves that he did not know, and had no reasonable grounds for believing, that the person whom he was employing was disqualified under Article 109.