STATUTORY INSTRUMENTS

2007 No. 1351

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

Interpretation

Interpretation

2.—(1) Subject to Article 22(1), the Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

[[F1](2A)**]** In this Order—

"the 1972 Order" means the Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14);

"the 2003 Order" means the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 (NI 9);

[[F2] "adult" means a person who has attained the age of 18; **]**

"the adults' barred list" must be construed in accordance with Article 6(1)(b);

"barred list" means the children's barred list or the adults' barred list;

"child" means a person who has not attained the age of 18;

"the Children Order" means the Children (Northern Ireland) Order 1995 (NI 2);

"the children's barred list" must be construed in accordance with Article 6(1)(a);

"employment agency" and "employment business" must be construed in accordance with Part II of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 (NI 20);

[[F3]"HSC body" means any of the following **[**[F4](see the Health and Social Care (Reform) Act (Northern Ireland) 2009 for the bodies mentioned in paragraphs (b) to (e))**]** —

(a) **[**[F5]the Department of Health;**]**

(b) the Regional Agency for Public Health and Social Well-being;

(c) a HSC trust;

(d) a special agency;

(e) the Patient and Client Council;**]**

" **[**[F6]DBS**]** " must be construed in accordance with Article 5;

[F7]...

"**[**[F8]social care**]**" has the same meaning as in the 1972 Order;

"personnel supplier" means—

(a) a person carrying on an employment agency or an employment business, or

(b) an educational institution which supplies to another person a student who is following a course at the institution, for the purpose of enabling the student to obtain experience of engaging in regulated [F9]... activity;

"prescribed" means prescribed by regulations made by the Secretary of State;

[[F10]"RQIA" means the Health and Social Care Regulation and Quality Improvement Authority;**]**

"statutory provision" must be construed in accordance with section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c,33);

"supervisory authority" must be construed in accordance with Article 47(7);

"vulnerable adult" **[**[F11]means any adult to whom an activity which is a regulated activity relating to vulnerable adults by virtue of any paragraph of paragraph 7(1) of Schedule 2 is provided**]** .

(2) A reference (however expressed) to a person being barred must be construed in accordance with Article 7.

[F12](3) . . . . . .

(4) Nothing in this Order affects any power to provide information which exists apart from this Order.

Textual Amendments

F1 Art. 2(2A): art. 2(2) renumbered as art. 2(2A) (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 9 para. 76(3)**; S.I. 2012/2234, art. 2(aa)(v)

F2 Words in art. 2(2) inserted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 7 para. 2(1)(a)**; S.I. 2012/2234, art. 2(z)(i)

F3 Art. 2(2): definition of "HSC body" substituted (12.10.2009) by Safeguarding Vulnerable Groups (Miscellaneous Provisions) Order (Northern Ireland) 2009 (S.R. 2009/305), **art. 7(2)**

F4 Words in art. 2 substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 214(2)**; S.R. 2022/102, art. 2(b)

F5 Words in art. 2 substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 214(3)**; S.R. 2022/102, art. 2(b)

F6 Word in art. 2 substituted (1.12.2012) by The Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 (S.I. 2012/3006), arts. 1(1), **6(a)** (with Pt. 4)

F7 Words in art. 2(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 76(2)(a), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(aa)(v)(bb)

F8 Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**

F9 Words in art. 2(2) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 76(2)(b), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(aa)(v)(bb)

F10 Art. 2(2): definition of "RQIA" substituted (1.4.2010) for definition of "the Regulation and Improvement Authority" by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 15(1)**

F11 Words in art. 2(2) substituted (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, **Sch. 7 para. 2(1)(b)**; S.I. 2012/2234, art. 2(z)(i)

F12 Art. 2(3) repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 76(4), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(aa)(v)(bb)

Vulnerable adults

[F13]**3.** . . . . . .

Textual Amendments

F13 Art. 3 repealed (10.9.2012 immediately after the coming into force of the Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order 2012 (S.I. 2012/2157)) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 7 para. 2(2), **Sch. 10 Pt. 5**; S.I. 2012/2234, art. 2(z)(i) (bb)

Family and personal relationships

4.—(1) This Order does not apply to any activity which is carried out in the course of a family relationship.

(2) This Order does not apply to any activity which is carried out—

(a) in the course of a personal relationship, and

(b) for no commercial consideration.

(3) A family relationship includes a relationship between two persons who—

(a) live in the same household, and

(b) treat each other as though they were members of the same family.

(4) A personal relationship is a relationship between or among friends.

(5) A friend of a person (A) includes a person who is a friend of a member of A's family.

(6) The Secretary of State may by order provide that an activity carried out in specified circumstances either is or is not—

(a) carried out in the course of a family relationship;

(b) carried out in the course of a personal relationship.

Changes to legislation:
The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, Interpretation is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:
Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 5A inserted by 2012 c. 9 Sch. 7 para. 11(1)
- Sch. 1 para. 11A inserted by 2012 c. 9 Sch. 7 para. 11(3)
- art. 32A32B substituted for art. 32-34 by 2012 c. 9 Sch. 7 para. 9(1)
- art. 35(3A)-(3D) inserted by 2012 c. 9 Sch. 7 para. 9(2)(c)
- art. 36ZA inserted by 2012 c. 9 Sch. 7 para. 10
- art. 50(2A) inserted by 2012 c. 9 Sch. 7 para. 13(3)(c)
- art. 50(5)(b) and word inserted by 2012 c. 9 Sch. 7 para. 13(3)(f)
- art. 51(2A) inserted by 2012 c. 9 Sch. 7 para. 13(4)(c)
- art. 51(5)(b) and word inserted by 2012 c. 9 Sch. 7 para. 13(4)(f)