

## 1994 No. 64

**HEALTH AND PERSONAL SOCIAL SERVICES****The Health and Social Services Trusts (Exercise of Functions) Regulations (Northern Ireland) 1994**

*Made* . . . . . 1st March 1994

*Coming into operation* . . . . . 1st April 1994

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 3(2) of the Health and Personal Social Services (Northern Ireland) Order 1994(a), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

*Citation and commencement*

1.—(1) These Regulations may be cited as the Health and Social Services Trusts (Exercise of Functions) Regulations (Northern Ireland) 1994 and shall come into operation on 1st April 1994.

(2) In these Regulations, “the Order” means the Health and Personal Social Services (Northern Ireland) Order 1994.

*Relevant functions of Health and Social Services Boards*

2. The relevant functions of a Health and Social Services Board under the statutory provisions specified in column 1 of the Schedule are those functions specified in column 2 of the Schedule for the purposes of Article 3 of the Order.

Sealed with the Official Seal of the Department of Health and Social Services on 1st March 1994.

(L.S.)

*John McGrath*

Assistant Secretary

SCHEDULE

Relevant functions of Health and Social Services Boards

| Statutory Provision  | Relevant functions of a Health and Social Services Board   |
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| Children and Young Persons Act (Northern Ireland) 1968(a)            | All functions.   |
| Health and Personal Social Services (Northern Ireland) Order 1972(b) | Functions under Articles 14A, 15/36, 36A, 37, 38, 39, 71(2), 99, 101, 101A and Schedule 6.   |
| Chronically Sick and Disabled Persons (Northern Ireland) Act 1978(c) | Functions under sections 1(2), 2 and 12(1).  |
| Matrimonial Causes (Northern Ireland) Order 1978(d)                  | Functions under Article 47.  |
| Domestic Proceedings (Northern Ireland) Order 1980(e)                | Functions under Article 11.  |
| Mental Health (Northern Ireland) Order 1986(f)                       | All functions except that of designating a hospital under Article 46(1) for the purposes of Article 46(2)(a), and those under Articles 28(3), 42(9)(a), 46(3)(a), 86(2), 90(2), 108(2), 112, 113, 114, 116, 118, 121(1), 123(1)(a), 129(7) and 133(4). |
| Adoption (Northern Ireland) Order 1987(g)                            | All functions.   |
| Disabled Persons (Northern Ireland) Act 1989(h)                      | All functions.   |

- (a) 1968 c. 34 (N.I.), as amended; the relevant amending statutory provisions are S.I. 1972/1265 (N.I. 14), 1973 (c. 38), 1973 (c. 53), S.I. 1973/2163, 1975 (c. 18), 1978 (c. 23), S.I. 1980/563 (N.I. 5), S.I. 1980/704 (N.I. 6), S.I. 1981/1675 (N.I. 26), 1981 (c. 19), S.I. 1986/595 (N.I. 4), S.I. 1986/1888 (N.I. 18), S.I. 1987/2203 (N.I. 22), S.I. 1991/194 (N.I. 1) and S.I. 1994/429 (N.I. 2)
- (b) S.I. 1972/1265 (N.I. 14), as amended; the relevant amending statutory provisions are 1973 (c. 38), 1975 (c. 18), S.I. 1981/1675 (N.I. 26), S.I. 1986/595 (N.I. 4), S.I. 1986/1888 (N.I. 18), S.I. 1986/2229 (N.I. 24), S.I. 1991/194 (N.I. 1), S.I. 1992/3204 (N.I. 20) and S.I. 1994/429 (N.I. 2)
- (c) 1978 c. 53
- (d) S.I. 1978/1045 (N.I. 15)
- (e) S.I. 1980/563 (N.I. 5)
- (f) S.I. 1986/595 (N.I. 4), as amended; the relevant amending statutory provisions are S.I. 1989/1341 (N.I. 12), S.I. 1991/194 (N.I. 1), S.I. 1992/3204 (N.I. 20), S.I. 1994/429 (N.I. 2) and S.R. 1994 No. 66
- (g) S.I. 1987/2203 (N.I. 22), as amended by S.I. 1988/594 (N.I. 2), 1990 (c. 37) and S.I. 1994/429 (N.I. 2)
- (h) 1989 (c. 10), as amended by S.I. 1991/194 (N.I. 1), S.I. 1992/3204 (N.I. 20) and S.I. 1994/429 (N.I. 2)

Childr (NI) Ord 1975      All functions      96/439  
 Cas & Dmb Pers Act 02      All functions      02/2002

27/42

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations prescribe functions of a Health and Social Services Board under certain statutory provisions as “relevant functions” for the purposes of Article 3 of the Health and Personal Social Services (Northern Ireland) Order 1994 (the Order). The functions specified include functions placed directly on a Board by the statutory provision and functions exercisable by a Board on behalf of the Department of Health and Social Services.

Article 3 of the Order enables a Board, with the Department’s approval, to delegate the exercise of the prescribed functions to a Health and Social Services trust.