
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 99

The Regulation and Improvement Authority
(Registration) Regulations (Northern Ireland) 2005

PART V

CANCELLATION OF REGISTRATION

Cancellation of registration

14. The following grounds are specified for the purposes of Article 15(1)(d) of the Order as grounds on which the Regulation and Improvement Authority may cancel the registration of a person in respect of an establishment or agency –

- (a) he has failed to pay at the time prescribed under Article 17(3) of the Order the annual fee payable by him by virtue of that paragraph;
- (b) he has in relation to any application by him –
 - (i) for registration; or
 - (ii) for the variation or removal of a condition in relation to his registration, made a statement which is false or misleading in a material respect or provided false information;
- (c) the establishment or agency has ceased to be financially viable, or is likely to cease to be so within the next six months.

Application for cancellation of registration

15.—(1) In this regulation –

“application for cancellation” means an application by the registered person under Article 16(1)(b) of the Order for the cancellation of his registration;

“notice of application for cancellation” means a notice by the registered person stating that he has made, or intends to make, an application for cancellation;

“proposed effective date” means the date requested by the registered person as the date on which the cancellation applied for is to take effect.

(2) An application for cancellation shall be –

- (a) made in writing on a form approved by the Regulation and Improvement Authority;
- (b) sent to the Regulation and Improvement Authority not less than three months before the proposed effective date or such shorter period (if any) before that date as may be agreed with the Regulation and Improvement Authority;
- (c) accompanied by the information specified in paragraph (4).

(3) If the registered person makes an application for cancellation he shall not more than seven days thereafter give notice of application for cancellation to each of the persons specified in paragraph (4)

(d), other than a person to whom he has given such notice within three months before he made the application for cancellation.

(4) The following information is specified –

- (a) the proposed effective date;
- (b) a statement as to the arrangements (if any) that have been made by the registered person to ensure that on and after –

- (i) the date of application for cancellation; and
- (ii) the proposed effective date,

service users will continue to be provided with similar accommodation (if any) and services as those provided to them in the establishment or by the agency at the date on which the application for cancellation is made;

- (c) the registered person's reasons for making the application for cancellation;
- (d) particulars of any notice of application for cancellation that has been given to any of the following persons –

- (i) service users;
- (ii) persons who appear to the registered person to be representatives of service users;
- (iii) the HSS trust in whose area the establishment or the premises used by the agency are situated;

(e) where the registered person has not given notice of application for cancellation to –

- (i) each service user;
- (ii) in respect of each service user, a person who appears to the registered person to be a representative of that service user; and
- (iii) the HSS trust in whose area, the establishment or the premises used by the agency is situated.

a statement as to whether there were any circumstances which prevented the registered person from giving, or made it impractical for him to give, notice of application for cancellation to any of the persons or bodies referred to in heads (i) to (iii) before the date on which he applied for cancellation;

(f) where the registered person has applied for cancellation less than three months before the proposed effective date, a report as to whether the establishment or agency has ceased, or is likely to cease within the next following twelve months, to be financially viable.

(5) The registered person shall provide the Regulation and Improvement Authority with any other information or any documents that it may reasonably require in relation to his application for cancellation.