

## SCHEDULE 2

Regulation 3(2)(b)

### DOCUMENTS TO BE SUPPLIED ON AN APPLICATION FOR REGISTRATION AS A PERSON WHO CARRIES ON AN ESTABLISHMENT OR AGENCY

#### **Documents concerning applicant**

1. The responsible person's birth certificate.
2. Certificates or other suitable evidence relating to the responsible person's professional or technical qualifications, so far as such qualifications are relevant to providing services for persons for whom services are to be provided at the establishment or by the agency.
- 3.—(1) Subject to sub-paragraph (2), a report by a general medical practitioner as to whether the responsible person is physically and mentally fit to carry on an establishment or agency of the same description as the establishment or agency.  
(2) Where the responsible person is unable to obtain the report referred to in sub-paragraph (1), a statement by the responsible person as to the state of his physical and mental health.
4. The following documents in relation to the responsible person –
  - (a) a criminal record certificate –
    - (i) which has been issued under section 113 of the Police Act 1997; and
    - (ii) the application for which was countersigned by the Regulation and Improvement Authority,  
including, where applicable, the matters specified in section 113(3EA)(a) and (b) of that Act and the following provisions once they are in force namely section 113(3EC)(a) and (b) of that Act;
  - (b) an enhanced criminal record certificate –
    - (i) which has been issued under section 115 of that Act; and
    - (ii) the application for which was countersigned by the Regulation and Improvement Authority,  
including, where applicable, the matters specified in section 115(6EA)(a) and (b) of that Act and the following provisions once they are in force, namely section 115(6EB)(a) and (b) of that Act.
5. Where the applicant is a corporate body, a copy of each of its last two annual reports.
6. Where the organisation is a subsidiary of a holding company, the name and address of the registered or principal office and the last two annual reports (if any) of the holding company and of any other subsidiary of that holding company.
7. The last annual accounts (if any) of the establishment or agency.
8. Except where the applicant is a Health and Social Services Board or a HSS trust a reference from a bank expressing an opinion as to the applicant's financial standing.
9. A certificate of insurance for the applicant in respect of liability which may be incurred by him in relation to the establishment or agency in respect of death, injury, public liability, damage or other loss.

#### **Criminal record certificates in respect of staff**

- 10.—(1) In the case of an establishment or agency other than a nursing agency a statement confirming that –

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) the documents specified in sub-paragraph (2) have been issued –
    - (i) in the case of any applicant, to every person, other than the applicant, who works, or is intended to work, for the purposes of the establishment or agency; and
    - (ii) where the applicant is an organisation, to the responsible individual; and
  - (b) the applicant will make the documents so issued available for inspection by the Regulation and Improvement Authority if the Regulation and Improvement Authority so requires.
- (2) The following documents are specified –
- (a) where the position falls within section 115(3) or (4) of the Police Act 1997 , an enhanced criminal record certificate issued to the person under section 115 of that Act; or
  - (b) in any other case, a criminal record certificate issued to the person under section 113 of that Act,

including, where applicable the matters specified in section 113(3EA) and 115(6EA) of that Act and the following provisions, once they are in force, namely section 113(3EC)(a) and (b) and section 115(6EB)(a) and (b) of that Act.

- (3) The following information is specified, that is to say, details of any criminal offences –
- (a) of which a person has been convicted including details of any convictions which are spent within the meaning of section 1 of the Rehabilitation of Offenders (Northern Ireland) Order 1978 and which may be disclosed by virtue of the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979; or
  - (b) in respect of which a person has been cautioned by a constable and which at the time the caution was given, he admitted.
- (4) In the case of a nursing agency, a statement confirming that –
- (a) the documents specified in sub-paragraph (2) have been issued –
    - (i) in the case of any applicant, to any person who carries out, or is intending to carry out, the selection of any nurses to be supplied by the nursing agency; and
    - (ii) where the applicant is an organisation, to the responsible individual;
  - (b) the information specified in sub-paragraph (3) has been provided to the applicant in relation to any nurse who is supplied, or is intended to be supplied, by the nursing agency;
  - (c) the applicant will make the documents or information referred to in this sub-paragraph, available for inspection by the Regulation and Improvement Authority if that Authority so requires.