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## STATUTORY RULES OF NORTHERN IRELAND

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### 2012 No. 324

#### The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012

### PART 1

#### General

##### Citation and commencement

1. These regulations may be cited as the Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 and shall come into operation on 20<sup>th</sup> August 2012

##### Interpretation

2. In these regulations—

“the Act” means the Safeguarding Board Act (Northern Ireland) 2011;

“any Department” means any of the Northern Ireland departments listed in Article 3 of the Departments (Northern Ireland) Order 1999 <sup>M1</sup>;

“area of the Safeguarding Panel” has the meaning given in regulation 21(2);

“bankruptcy restrictions order” means an order made under Schedule 2A of the Insolvency (Northern Ireland) Order 1989 <sup>M2</sup> or Schedule 4A of the Insolvency Act 1986 <sup>M3</sup>;

“charity trustee” means one of the persons having the general control and management of the administration of a charity;

[<sup>F1</sup>“debt relief restrictions order” means an order made under Schedule 2ZB to the Insolvency (Northern Ireland) Order 1989 or Schedule 4ZB to the Insolvency Act 1986;]

“Designated Nurse for Safeguarding Children” means the nurse designated by the Regional Agency for Public Health and Social Well-being to provide such information, advice and assistance regarding the safeguarding of children as may reasonably be required in accordance with section 13(6)(b) of the Health and Social Care (Reform) Act (Northern Ireland) 2009 <sup>M4</sup>;

“education and library board” means an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986 <sup>M5</sup>;

[<sup>F2</sup>“former health service body” means a Strategic Health Authority, a Primary Care Trust [<sup>F3</sup>, the Health and Social Care Information Centre] or the Health Protection Agency;]

“general medical practitioner” means a person whose name is included on a Primary Medical Services Performers List prepared pursuant to regulation 4 of the Health and Personal Social Services (Primary Medical Services Performers Lists) Regulations (Northern Ireland) 2004 <sup>M6</sup>;

“health and social care body” means–

- (a) <sup>F4</sup> ...
  - (i)
  - (ii)
  - (iii)
  - (iv)
  - (v)
  - (vi)
  - (vii)
- (b) the Northern Ireland Social Care Council established under section 1 of the Health and Personal Social Services Act (Northern Ireland) 2001 <sup>M7</sup>; and
- (c) the Northern Ireland Practice and Education Council for Nursing and Midwifery established under section 2 of the Health and Personal Social Services Act (Northern Ireland) 2002 <sup>M8</sup>;

“health service body” means–

- (a) any of the following within the meaning of the National Health Service Act 2006 <sup>M9</sup>–
  - (i) <sup>F5</sup> ...
  - (ii) a Special Health Authority;
  - (iia) [<sup>F6</sup>a clinical commissioning group;]
  - (iib) [<sup>F6</sup>NHS England
  - (iic) [<sup>F6</sup>the National Institute for Health and Care Excellence;]
  - (iid) [<sup>F6</sup>the Health and Social Care Information Centre;]
  - (iii) <sup>F7</sup> ...
  - (iv) an NHS trust;
  - (v) a Local Health Board;
- (b) any of the following within the meaning of the National Health Service (Scotland) Act 1978 <sup>M10</sup>–
  - (i) a Health Board;
  - (ii) a Special Health Board;
  - (iii) the Common Services Agency for the Scottish Health Service;
  - (iv) the Scottish Dental Practice Board;
- (c) the Wales Centre for Health established under section 2 of the Health (Wales) Act 2003 <sup>M11</sup>,
- (d) <sup>F8</sup> ...
- (e) the Care Quality Commission established under section 1 of the Health and Social Care Act 2008 <sup>M12</sup>;
- (f) the General Social Care Council established under section 54 of the Care Standards Act 2000 <sup>M13</sup>;
- (g) the Social Care Council for Wales established under section 54 of the Care Standards Act 2000;

- (h) the Scottish Social Services Council established under section 43 of the Regulation of Care (Scotland) Act 2001 <sup>M14</sup>;

“National Society for the Prevention of Cruelty to Children” means the National Society for the Prevention of Cruelty to Children established by Royal Charter on 28 May 1895;

“Probation Board for Northern Ireland” means the Probation Board for Northern Ireland established under Article 3(1) of the Probation Board (Northern Ireland) Order 1982 <sup>M15</sup>;

“regulatory person or body” means—

- (a) the person holding the office of Chief Inspector of Criminal Justice in Northern Ireland established under section 45 of the Justice (Northern Ireland) Act 2002 <sup>M16</sup>;
- (b) any person appointed as an inspector under Article 102 of the Education and Libraries (Northern Ireland) Order 1986, or as a lay person under Article 102A of that Order;
- (c) any person appointed as an inspector of constabulary under section 54 of the Police Act 1996 <sup>M17</sup>, or as an assistant inspector of constabulary or staff officer to the inspector of constabulary under section 56 of that Act;
- (d) the Northern Ireland Policing Board established under section 2 of the Police (Northern Ireland) Act 2000 <sup>M18</sup>;
- (e) the person holding the office of Police Ombudsman for Northern Ireland established under section 51 of the Police (Northern Ireland) Act 1998 <sup>M19</sup>;

“trustee for a charity” is a person not being a charity trustee, in whom legal title to the property of the charity is vested;

“voluntary organisation” means any association carrying on or proposing to carry on any activities otherwise than for the purpose of gain by the association or by individual members thereof;

“Youth Justice Agency” means the Youth Justice Agency established as an Executive Agency of the Northern Ireland Office on 1 April 2003 whose functions transferred to the Department of Justice by virtue of the Northern Ireland Act 1998 (Devolution of Policing and Justice) Functions Order 2010 <sup>M20</sup>.]

- F1** Words in [reg. 2](#) inserted (7.3.2016) by [The Debt Relief Act \(Northern Ireland\) 2010 \(Consequential Amendments\) Order \(Northern Ireland\) 2016 \(S.R. 2016/108\)](#), art. 1, **Sch. para. 57(2)**
- F2** Words in [reg. 2](#) inserted (1.4.2013) by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 178(2)(a)**
- F3** Words in [reg. 2](#) inserted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 43(a)** (with [reg. 3](#))
- F4** Words in [reg. 2](#) omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 43(b)** (with [reg. 3](#))
- F5** Words in [reg. 2](#) omitted (1.4.2013) by virtue of [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 178(2)(b)(i)**
- F6** Words in [reg. 2](#) inserted (1.4.2013) by [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 178(2)(b)(ii)**
- F7** Words in [reg. 2](#) omitted (1.4.2013) by virtue of [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 178(2)(b)(iii)**

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**Changes to legislation:** There are currently no known outstanding effects for the The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012, PART 1. (See end of Document for details)

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- F8** Words in reg. 2 omitted (1.4.2013) by virtue of [The National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013 \(S.I. 2013/235\)](#), art. 1(2), **Sch. 2 para. 178(2)(b)(iv)**

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**Marginal Citations**

- M1** [S.I. 1999/283 \(N.I. 1\)](#)  
**M2** [S.I. 1989/2405 \(N.I. 19\)](#); the relevant amending provision is [S.I. 2005/1455 \(N.I. 10\)](#)  
**M3** [1986 c.45](#); Schedule 4A was inserted by the [Enterprise Act 2002 \(c.40\)](#)  
**M4** [2009 c.1 \(N.I.\)](#)  
**M5** [S.I. 1986/594 \(N.I. 3\)](#)  
**M6** [S.R. 2004 No. 149](#)  
**M7** [2001 c.3 \(N.I.\)](#)  
**M8** [2002 c.9 \(N.I.\)](#)  
**M9** [2006 c.41](#)  
**M10** [1978 c.29](#); section 2 was amended by paragraph 1 of Schedule 7 to the [Health and Social Services and Social Security Adjudications Act 1983 \(c.41\)](#) and by section 28 of the [National Health Service and Community Care Act 1990 \(c.19\)](#); section 10 was amended by paragraph 2 of Schedule 6 to the [Health Services Act 1980 \(c.53\)](#)  
**M11** [2003 c.4](#)  
**M12** [2008 c.14](#)  
**M13** [2000 c.14](#)  
**M14** [2001 asp.8](#)  
**M15** [S.I. 1982/713 \(N.I. 10\)](#)  
**M16** [2002 c.26](#)  
**M17** [1996 c.16](#)  
**M18** [2000 c.32](#)  
**M19** [1998 c.32](#)  
**M20** [S.I. 2010/976](#)

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There are currently no known outstanding effects for the The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012, PART 1.