

STATUTORY RULES OF NORTHERN IRELAND

2013 No. 225

The Northern Ireland Social Care Council
(Social Care Workers Prohibition) and Fitness
of Workers Regulations (Northern Ireland) 2013

PART 3

Fitness of workers

Duty on providers

5.—(1) For the purposes of article 23 of the ^{F1}... Order, a provider shall not employ a person in any of the positions specified in Regulation 4(2) unless that person is fit to be employed.

(2) Subject to [^{F2}paragraph (3)] and Regulations 6 and 7, a person is unfit to be so employed unless registered in the relevant part of the register.

(3) [^{F3}Paragraph (2)] does not apply to a person who, in order to perform the duties for which the person is so employed is required by any statutory provision, other than this statutory provision to be registered with any person or body other than the Northern Ireland Health and Social Care Council and is so registered.

- F1** Word in reg. 5(1) omitted (27.10.2017) by virtue of [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **5(a)**
- F2** Words in reg. 5(2) substituted (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **5(b)**
- F3** Words in reg. 5(3) substituted (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **5(c)**

Registration of the existing work force

^{F4}6.

- F4** Reg. 6 revoked (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **7(a)**

[^{F5}Registration of persons in employment in positions prescribed at regulation 4(2)(d), (e), (f) and (i)

6A.—(1) Subject to paragraph (2), where a person is employed in one of the positions mentioned in regulation 4(2)(d), (e), (f) and (i), regulation 5(2) shall not apply to a person required to register in a relevant part of the register until 3 months from the date this paragraph comes into operation.

(2) Paragraph (1) shall not apply to a person who has been removed from the register under rules made pursuant to section 6 of the Act.]

F5 Reg. 6A added (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **6**

New employment

7.—(1) Subject to paragraph (4), where a person commences employment for the first time in one of the positions specified in Regulation 4(2), Regulation 5 shall apply in accordance with this Regulation.

(2) The person required to register in a relevant part of the register shall apply for registration as soon as reasonably practicable after commencing that new employment.

(3) Notwithstanding the generality of paragraph (2), the person must achieve such registration within 6 months of the commencement date of that new employment.

(4) Paragraphs (2) and (3) shall not apply to a person who has been removed from the register under rules made pursuant to section 6 of the Act.

Offences

^{F6}8.

F6 Reg. 8 revoked (27.10.2017) by [The Northern Ireland Social Care Council \(Social Care Workers Prohibition\) and Fitness of Workers \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/207\)](#), regs. 1(1), **7(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers Regulations (Northern Ireland) 2013, PART 3.