



## 2002 CHAPTER 6

### *Supplementary*

#### **Interpretation and regulations**

**10.—(1)** In this Act—

“the 1972 Order” means the Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14);

“area”, in relation to an authority, has the same meaning as in the Children Order;

“carer”, in relation to any person (“the person cared for”), means an individual aged 16 or over who provides or intends to provide a substantial amount of care on a regular basis for that person;

“adult” means a person aged 18 or over;

“the Children Order” means the Children (Northern Ireland) Order 1995 (NI 2);

“the Department” means the Department of Health, Social Services and Public Safety;

“prescribed” means specified in or determined in accordance with regulations;

“regulations” means regulations made by the Department.

(2) Subject to subsection (1), this Act shall be construed as one with the 1972 Order.

(3) In this Act “authority” means—

(a) in relation to a person who resides in the area of a [F<sup>1</sup>HSC trust] by which functions under this Act are exercisable by virtue of an authorisation for the time being in operation under Article 3(1) of the Health and Personal

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**Changes to legislation:** *Carers and Direct Payments Act (Northern Ireland) 2002, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 17 November 2021. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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Social Services (Northern Ireland) Order 1994 (NI 2), that [<sup>F1</sup>HSC trust];  
and

(b) in relation to any other person, the Board for the area in which that person resides.

(4) References in this Act (however expressed) to services provided by an authority include services which the authority arranges to provide, where it has power to do so.

(5) Regulations under this Act may include such supplementary, incidental, consequential and transitional provisions and savings as the Department thinks fit.

(6) Regulations under this Act shall be subject to negative resolution.

**F1** Words in Act substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\), Sch. 6 para. 1\(1\)\(d\)](#) (with [Sch. 6 para. 1\(3\)](#)); [S.R. 2009/114, art. 2](#)

### Commencement

**11.**—(1) The preceding provisions of this Act come into operation on such day or days as the Department may by order appoint<sup>F2</sup>.

(2) An order under this section may contain such transitional provisions and savings as the Department thinks necessary or expedient.

**F2** partly exercised by [SR 2003/201; 2004/119](#)

### Short title

**12.** This Act may be cited as the Carers and Direct Payments Act (Northern Ireland) 2002.

**Changes to legislation:**

Carers and Direct Payments Act (Northern Ireland) 2002, Cross Heading:  
Supplementary is up to date with all changes known to be in force on or before 17  
November 2021. There are changes that may be brought into force at a future date.  
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**Changes and effects yet to be applied to the whole Act associated Parts and  
Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those  
provisions):

- s. 8(2A)-(2H) inserted by [2016 c. 18 \(N.I.\) s. 282\(2\)](#)
- s. 8(3)(j)-(l) inserted by [2016 c. 18 \(N.I.\) s. 282\(3\)\(f\)](#)
- s. 8(6A) inserted by [2016 c. 18 \(N.I.\) s. 282\(6\)](#)