
STATUTORY INSTRUMENTS

2003 No. 417

**The Protection of Children and Vulnerable
Adults (Northern Ireland) Order 2003**

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003.

(2) This Part comes into operation on the expiration of two weeks from the date on which this Order is made.

(3) The remaining provisions of this Order come into operation on such day or days as the Department may by order appoint.

(4) An order under this Article may contain such transitional provisions as the Department thinks necessary or expedient.

Interpretation: general

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“adult” means a person who is not a child;

“child” means a person under the age of 18;

“the Children Order” means the [Children \(Northern Ireland\) Order 1995 \(NI 2\)](#);

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

“director of social services” means—

(a) a director of social services of a Health and Social Services Board; or

(b) an executive director of social work of a Health and Social Services trust;

“employment” (except in Article 31)—

(a) means any employment, whether paid or unpaid and whether under a contract of service or apprenticeship, under a contract for services, or otherwise than under a contract; and

(b) includes an office established by or by virtue of a prescribed statutory provision,

and references to an individual being employed shall be construed accordingly;

“employment agency” and “employment business” have the same meanings as in the [Employment \(Miscellaneous Provisions\) \(Northern Ireland\) Order 1981 \(NI 20\)](#); but no business which is an employment business shall be taken to be an employment agency;

“nursing agency” has the same meaning as in Part II of the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971 (c. 32);

“nursing home” has the meaning given by Article 16 of the [Registered Homes \(Northern Ireland\) Order 1992 \(NI 20\)](#);

“organisation” means a body corporate or unincorporate or an individual who employs others in the course of a business;

“the Pre-Employment Consultancy Service Register” means the list kept under that name by the Department;

“prescribed” means prescribed by regulations;

“private hospital” has the meaning given by Article 90(2) of the [Mental Health \(Northern Ireland\) Order 1986 \(NI 4\)](#);

“regulations” means regulations made by the Department subject to negative resolution;

“residential care home” has the meaning given by Article 3 of the Registered Homes (Northern Ireland) Order 1992;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33).

- (3) For the purposes of this Order, an individual is made redundant if—
- (a) he is dismissed; and
 - (b) for the purposes of the [Employment Rights \(Northern Ireland\) Order 1996 \(NI 16\)](#) the dismissal is by reason of redundancy.