
STATUTORY INSTRUMENTS

2003 No. 431

The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003

PART III

REGULATION OF ESTABLISHMENTS AND AGENCIES

Registration

Requirement to register

12.—(1) Any person who carries on or manages an establishment or agency of any description without being registered under this Part in respect of it (as an establishment or, as the case may be, agency of that description) shall be guilty of an offence.

(2) The reference in paragraph (1) to an agency does not include a reference to a voluntary adoption agency.

(3) The Department may by regulations make provision about the keeping of registers by the [F1RQIA] for the purposes of this Part.

(4) A person guilty of an offence under this Article shall be liable on summary conviction—

- (a) if paragraph (5) does not apply, to a fine not exceeding level 5 on the standard scale;
- (b) if paragraph (5) applies, to imprisonment for a term not exceeding six months, or to a fine not exceeding level 5 on the standard scale, or to both.

(5) This paragraph applies if—

- (a) the person was registered in respect of the establishment or agency at a time before the commission of the offence but the registration was cancelled before the offence was committed; or
- (b) the conviction is a second or subsequent conviction of the offence and the earlier conviction, or one of the earlier convictions, was of an offence in relation to an establishment or agency of the same description.

F1 Words in [Order](#) substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

Changes to legislation:

The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, Section 12 is up to date with all changes known to be in force on or before 09 April 2024. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

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

- art. 15(2)(e)(f) substituted for art. 15(2)(e) by [2022 c. 18 \(N.I.\) Sch. 3 para. 62](#)