

SCHEDULES

SCHEDULE 2

Article 9

REGULATED ACTIVITY

PART I

REGULATED ACTIVITY RELATING TO CHILDREN

Regulated activity: general

- 1.—(1) An activity is a regulated activity relating to children if—
 - (a) it is mentioned in paragraph 2(1), and
 - (b) it is carried out frequently by the same person or the period condition is satisfied.
- (2) An activity is a regulated activity relating to children if—
 - (a) it is carried out frequently by the same person or the period condition is satisfied,
 - (b) it is carried out in an establishment mentioned in paragraph 3(1),
 - (c) it is carried out by a person while engaging in any form of work (whether or not for gain),
 - (d) it is carried out for or in connection with the purposes of the establishment, and
 - (e) it gives that person the opportunity, in consequence of anything he is permitted or required to do in connection with the activity, to have contact with children.
- (3) Each of the following is a regulated activity relating to children—
 - (a) acting as a child minder on domestic premises;
 - (b) providing day care.
- (4) Any expression used both in sub-paragraph (3) and in Part XI of the Children Order has the meaning given by that Order.
- (5) It is a regulated activity relating to children to foster a child (as mentioned in Article 55).
- (6) The exercise of a function of a guardian ad litem appointed under Article 60 of the Children Order is a regulated activity relating to children.
- (7) The exercise of a function of a person mentioned in paragraph 4(1) is a regulated activity relating to children.

[^{F1}(7A) The exercise of a function under Article 130 of the Children (Northern Ireland) Order 1995, so far as it gives the person exercising the function the opportunity, in consequence of anything the person is permitted or required to do in the exercise of that function, to have contact with children is a regulated activity relating to children.]
- (8) The exercise of a function of any of the following so far as it [^{F2}gives the person exercising the function the opportunity, in consequence of anything the person is permitted or required to do in the exercise of that function, to have contact with children] is a regulated activity relating to children—

Status: Point in time view as at 01/04/2010.

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, SCHEDULE 2 is up to date with all changes known to be in force on or before 05 May 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. (See end of Document for details)

- (a) an inspector appointed under Article 102 of the Education and Libraries (Northern Ireland) Order 1986;
- (b) the Chief Inspector of Criminal Justice in Northern Ireland;
- (c) [F3RQIA].
- (9) F4
- (10) F5
- (11) F6
- (12) Any activity which consists in or involves on a regular basis the day to day management or supervision of a person carrying out an activity mentioned in sub-paragraph (1), (2), (6), [F7(7A) or (8)] is a regulated activity relating to children.

Textual Amendments	
F1	Sch. 2 para. 1(7A) inserted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(2)
F2	Words in Sch. 2 para. 1(8) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(3)
F3	Words in Sch. 2 para. 1(8)(c) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 15(2)
F4	Sch. 2 para. 1(9) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(4)
F5	Sch. 2 para. 1(10) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(5)
F6	Sch. 2 para. 1(11) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(6)
F7	Words in Sch. 2 para. 1(12) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), art. 4(7)
Commencement Information	
I1	Sch. 2 para. 1 wholly in operation; Sch. 2 para. 1 not in operation at date of making see art. 1(3); Sch. 2 para. 1 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, art. 4(c) ; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, art. 3(1)(b)

Activities

- 2.—(1) The activities referred to in paragraph 1(1) are—
- (a) any form of teaching, training or instruction of children, unless the teaching, training or instruction is merely incidental to teaching, training or instruction of persons who are not children;
 - (b) any form of care for or supervision of children, unless the care or supervision is merely incidental to care for or supervision of persons who are not children;

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- (c) any form of advice or guidance provided wholly or mainly for children, if the advice or guidance relates to their physical, emotional or educational well-being;
 - (d) any form of treatment or therapy provided for a child;
 - (e) moderating a public electronic interactive communication service which is likely to be used wholly or mainly by children;
 - (f) driving a vehicle which is being used only for the purpose of conveying children and any person supervising or caring for the children pursuant to arrangements made in prescribed circumstances.
- (2) Sub-paragraph (1)(a), (b), (c) and (d) do not include—
- (a) teaching, training or instruction provided to a child in the course of his employment;
 - (b) care for or supervision of a child in the course of his employment;
 - (c) advice or guidance provided for a child in the course of his employment;
 - (d) treatment or therapy provided for a child in the course of his employment.
- (3) Sub-paragraph (2) does not apply if—
- (a) the child has not attained the age of 16, and
 - (b) the activity is carried out by a person in respect of whom arrangements exist principally for that purpose.
- (4) For the purposes of sub-paragraph (1)(e) a person moderates a public electronic interactive communication service if, for the purpose of protecting children, he has any function relating to—
- (a) monitoring the content of matter which forms any part of the service,
 - (b) removing matter from, or preventing the addition of matter to, the service, or
 - (c) controlling access to, or use of, the service.
- (5) But a person does not moderate a public electronic interactive communications service as mentioned in sub-paragraph (4)(b) or (c) unless he has—
- (a) access to the content of the matter;
 - (b) contact with users of the service.
- (6) In sub-paragraph (2) employment includes any form of work which is carried out under the supervision or control of another, whether or not the person carrying it out is paid for doing so.

Commencement Information

I2 Sch. 2 para. 2 wholly in operation; Sch. 2 para. 2 not in operation at date of making see art. 1(3); Sch. 2 para. 2 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, art. 4(c); Sch. 2 para. 2(1)(f) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, art. 4(w); Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, art. 3(1)(b)

Establishments

- 3.—(1) The establishments referred to in paragraph 1(2)^{F8} . . . are—
- (a) an educational institution which is exclusively or mainly for the provision of full-time education to children;
 - (b) a nursery school within the meaning of the Education and Libraries (Northern Ireland) Order 1986 (NI 3);

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[^{F9}(bb) premises which are used for the provision of education by an education and library board or on its behalf, which do not fall within paragraph (a) or (b);]

- (c) a hospital which is exclusively or mainly for the reception and treatment of children;
- (d) an institution which is exclusively or mainly for the detention of children;
- (e) a children's home (within the meaning of Article 9 of the 2003 Order);
- (f) relevant childcare premises.

(2) Relevant childcare premises are any part of premises on which a person acts as child minder or provides day care in respect of which he must be registered under Article 118 of the Children Order.

[^{F10}(3) But premises on which a person acts as child minder or provides day care are not relevant childcare premises if the premises are the home of a parent of at least one child to whom the day care or child minding is provided.

(4) For the purposes of paragraph (3) “parent” includes any person who has parental responsibility for a child or who has care of a child.

(5) “Parental responsibility” has the same meaning as in the Children Order.]

Textual Amendments

- F8** Words in Sch. 2 para. 3(1) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 5(a)**
- F9** Sch. 2 para. 3(1)(bb) inserted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 5(b)**
- F10** Sch. 2 para. 3(3)-(5) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 23(2)**

Commencement Information

- I3** Sch. 2 para. 3 wholly in operation; Sch. 2 para. 3 not in operation at date of making see art. 1(3); Sch. 2 para. 3 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

Positions

4.—(1) The persons referred to in paragraph 1(7) are—

- (a) member of [^{F11}or secretary to] the governing body of an educational establishment mentioned in Article 12(5);
- [^{F12}(aa) person co-opted by the voting members of a Board of Governors of a grant-aided school under Articles 122 and 139 of the Education Reform (Northern Ireland) Order 1989 (NI 20) to be a member of the Board of Governors of the school;]
- [^{F13}(aaa) an individual who is the proprietor of an independent school;
- (aab) an individual who takes part in the governance and management of an independent school;]
- (b) member of an [^{F14}HSC body];
- [^{F15}(bb) chief executive officer of a HSC body;]
- (c) director of [^{F16}social care] of a Health and [^{F17}Social Care] Board ;

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- (d) director of a ^{F18}Health and Social Care trust] responsible for the delivery of ^{F16}social care];
 - (e) member of an education and library board;
 - (f) chief education officer of an education and library board;
 - (g) charity trustee of a children's charity;
 - (h) Commissioner for Children and Young People for Northern Ireland;
 - (i) a controller appointed in respect of a child under Article 101 of the Mental Health (Northern Ireland) Order 1986 (NI 4);
 - (j) member, chief executive or member of staff of ^{F19}ISA].
 - ^{F20}(k) an individual carrying on or managing a regulated establishment or agency which provides care, accommodation or services ^{F21}. . . for or in relation to children.]
 - ^{F22}(l) member of an authority responsible for the approval of foster parents in accordance with regulations made under Articles 27 and 28 of the Children (Northern Ireland) Order 1995;
 - (m) member of an adoption panel established in accordance with regulations made under Article 10 of the Adoption (Northern Ireland) Order 1987 (regulation of adoption agencies).]
- ^{F23}(1A) For the purposes of sub-paragraph (1)(a), a person is a secretary to the governing body of an educational establishment mentioned in Article 12(5) if—
- (a) the person is appointed in accordance with a scheme of management as mentioned in Article 9A or 9B of the Education and Libraries (Northern Ireland) Order 1986 (NI 3) as a secretary to the governing body of a grant-aided school, or
 - (b) the person is appointed in relation to the governing body of any other educational establishment mentioned in Article 12(5) and has functions similar to those of a person falling within paragraph (a).
- (1B) For the purposes of sub-paragraph (1)(k) an establishment or agency is a regulated establishment or agency if the person carrying it on or managing it is required to be registered in respect of it under Article 12 of the 2003 Order.]
- (2) A charity is a children's charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity relating to children.
- (3) An individual is a worker for a charity if he does work under arrangements made by the charity; but the arrangements referred to in this sub-paragraph do not include any arrangements made for purposes which are merely incidental to the purposes for which the charity is established.
- ^{F24}(4) In this paragraph—
“independent school” and “proprietor” has the same meaning as in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986.]

Textual Amendments

- F11** Words in Sch. 2 para. 4(1)(a) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 24(2)**
- F12** Sch. 2 para. 4(1)(aa) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 24(3)**
- F13** Sch. 2 para. 4(1)(aaa)(aab) inserted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 6(2)(a)**

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- F14** Words in Order substituted (12.10.2009) by Safeguarding Vulnerable Groups (Miscellaneous Provisions) Order (Northern Ireland) 2009 (S.R. 2009/305), **art. 7(3)**
- F15** Sch. 2 para. 4(1)(bb) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 24(4)**
- F16** Words in Order 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)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**
- F17** Words in Order substituted (1.4.2009) by virtue of Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**
- F18** Words in Order 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)(c)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**
- F19** Words in Order substituted (12.11.2009) by Policing and Crime Act 2009 (c. 26), **ss. 81(2)(3)(o)(iii)**, 116(5)(a)
- F20** Sch. 2 para. 4(1)(k) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 24(5)**
- F21** Words in Sch. 2 para. 4(1)(k) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 6(2)(b)**
- F22** Sch. 2 para. 4(1)(l)(m) inserted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 6(2)(c)**
- F23** Sch. 2 para. 4(1A)(1B) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 24(6)**
- F24** Sch. 2 para. 4(4) inserted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 6(3)**

Commencement Information

- I4** Sch. 2 para. 4 wholly in operation; Sch. 2 para. 4 not in operation at date of making see art. 1(3); Sch. 2 para. 4 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

5. A person who is part of a group in relation to which another (P) engages in regulated activity relating to children does not engage in regulated activity only because he assists P or does anything on behalf of or under the direction of P which, but for this paragraph, would amount to engaging in regulated activity relating to children.

Commencement Information

- I5** Sch. 2 para. 5 wholly in operation; Sch. 2 para. 5 not in operation at date of making see art. 1(3); Sch. 2 para. 5 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

Exceptions

6. The Secretary of State may, by order, provide that in such circumstances as are specified an activity which is a regulated activity in relation to children is not to be treated as a regulated activity.

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Commencement Information

- I6** Sch. 2 para. 6 wholly in operation; Sch. 2 para. 6 not in operation at date of making see art. 1(3); Sch. 2 para. 6 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, art. 4(c); Sch. 2 para. 6 in operation for certain purposes at 29.5.2008 by S.R. 2008/233, art. 5(o); Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, art. 3(1)(b)

PART II

REGULATED ACTIVITY RELATING TO VULNERABLE ADULTS

7.—(1) Each of the following is a regulated activity relating to vulnerable adults if it is carried out frequently by the same person or the period condition is satisfied—

- (a) any form of training, teaching or instruction provided wholly or mainly for vulnerable adults;
- (b) any form of care for or supervision of vulnerable adults;
- (c) any form of assistance, advice or guidance provided wholly or mainly for vulnerable adults;
- (d) any form of treatment or therapy provided for a vulnerable adult;
- (e) moderating a public electronic interactive communication service which is likely to be used wholly or mainly by vulnerable adults;
- (f) driving a vehicle which is being used only for the purpose of conveying vulnerable adults and any person caring for the vulnerable adults pursuant to arrangements made in prescribed circumstances;
- (g) anything done on behalf of a vulnerable adult in such circumstances as are prescribed.

(2) For the purposes of sub-paragraph (1)(e) a person moderates a public electronic interactive communication service if, for the purpose of protecting vulnerable adults, he has any function relating to—

- (a) monitoring the content of matter which forms any part of the service,
- (b) removing matter from, or preventing the addition of matter to, the service, or
- (c) controlling access to, or use of, the service.

(3) But a person does not moderate a public electronic interactive communications service as mentioned in sub-paragraph (2)(b) or (c) unless he has—

- (a) access to the content of the matter;
- (b) contact with users of the service.

(4) An activity carried out in a residential care home or nursing home (for the purposes of the 2003 Order) which is exclusively or mainly for vulnerable adults is a regulated activity relating to vulnerable adults if—

- (a) it is carried out at the establishment frequently by the same person or the period condition is satisfied,
- (b) it is carried out by a person while engaging in any form of work (whether or not for gain),
- (c) it is carried out for or in connection with the purposes of the establishment, and
- (d) it gives that person the opportunity, in consequence of anything he is permitted or required to do in connection with the activity, to have contact with vulnerable adults.

Status: Point in time view as at 01/04/2010.

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(5) Any activity which consists in or involves on a regular basis the day to day management or supervision of a person carrying out an activity mentioned in sub-paragraph (1) [^{F25}, (4) or (6)] is a regulated activity relating to vulnerable adults.

[^{F26}(6) The exercise of a function of the following so far as it gives the person exercising the function the opportunity, in consequence of anything the person is permitted or required to do in the exercise of that function, to have contact with vulnerable adults, is a regulated activity relating to vulnerable adults—

- (a) the Chief Inspector of Criminal Justice in Northern Ireland;
- (b) RQIA.]

(7) ^{F27}

(8) ^{F28}

(9) The exercise of a function of a person mentioned in paragraph 8(1) is a regulated activity relating to vulnerable adults.

(10) A person who is part of a group in relation to which another (P) engages in regulated activity relating to vulnerable adults does not engage in regulated activity only because he assists P or does anything on behalf of or under the direction of P which, but for this sub-paragraph, would amount to engaging in regulated activity relating to vulnerable adults.

Textual Amendments

- F25** Words in Sch. 2 para. 7(5) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 8(2)**
- F26** Sch. 2 para. 7(6) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 8(3)**
- F27** Sch. 2 para. 7(7) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 8(4)**
- F28** Sch. 2 para. 7(8) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 8(5)**

Commencement Information

- I7** Sch. 2 para. 7 wholly in operation; Sch. 2 para. 7 not in operation at date of making see art. 1(3); Sch. 2 para. 7 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 para. 7(1)(f) in operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 4(w)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

8.—(1) The persons referred to in paragraph 7(9) are—

- (a) member of an [^{F29}HSC body];
- [^{F30}(aa) chief executive officer of a HSC body;]
- (b) director of [^{F31}social care] of a Health and [^{F32}Social Care] Board ;
- (c) director of a [^{F33}Health and Social Care trust] responsible for the delivery of [^{F31}social care];
- (d) charity trustee of vulnerable adults' charity;
- (e) member or chief executive or member of staff of [^{F34}ISA].

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[^{F35}(f) an individual carrying on or managing a regulated establishment or agency which provides care, accommodation or services ^{F36} . . . for or in relation to vulnerable adults.]

(2) A charity is a vulnerable adults' charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity relating to vulnerable adults.

(3) An individual is a worker for a charity if he does work under arrangements made by the charity; but the arrangements referred to in this sub-paragraph do not include any arrangements made for purposes which are merely incidental to the purposes for which the charity is established.

[^{F37}(4) For the purposes of sub-paragraph (1)(f) an establishment or agency is a regulated establishment or agency if the person carrying it on or managing it is required to be registered in respect of it under Article 12 of the 2003 Order.]

Textual Amendments

- F29** Words in Order substituted (12.10.2009) by Safeguarding Vulnerable Groups (Miscellaneous Provisions) Order (Northern Ireland) 2009 (S.R. 2009/305), **art. 7(3)**
- F30** Sch. 2 para. 8(1)(aa) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 25(2)**
- F31** Words in Order 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)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**
- F32** Words in Order substituted (1.4.2009) by virtue of Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), **Sch. 6 para. 1(1)(a)** (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, **art. 2**
- F33** Words in Order 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)(c)** (with Sch. 6 para. 1(3)); S.R. 2009/114, **art. 2**
- F34** Words in Order substituted (12.11.2009) by Policing and Crime Act 2009 (c. 26), **ss. 81(2)(3)(o)(iii)**, 116(5)(a)
- F35** Sch. 2 para. 8(1)(f) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 25(3)**
- F36** Words in Sch. 2 para. 8(1)(f) omitted (1.4.2010) by virtue of Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 9**
- F37** Sch. 2 para. 8(4) inserted (12.10.2009) by Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009 (S.R. 2009/304), **art. 25(4)**

Commencement Information

- I8** Sch. 2 para. 8 wholly in operation; Sch. 2 para. 8 not in operation at date of making see art. 1(3); Sch. 2 para. 8 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

9. The Secretary of State may, by order, provide that in such circumstances as are specified an activity which is a regulated activity in relation to vulnerable adults is not to be treated as a regulated activity.

Commencement Information

- I9** Sch. 2 para. 9 wholly in operation; Sch. 2 para. 9 not in operation at date of making see art. 1(3); Sch. 2 para. 9 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 para. 9 in

Status: Point in time view as at 01/04/2010.

Changes to legislation: The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, SCHEDULE 2 is up to date with all changes known to be in force on or before 05 May 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. (See end of Document for details)

operation for certain purposes at 29.5.2008 by S.R. 2008/233, **art. 5(o)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

PART III

THE PERIOD CONDITION

10.—(1) The period condition is satisfied if the person carrying out the activity does so at any time on more than [^{F38}three] days in any period of 30 days.

(2) In relation to an activity that falls within paragraph 2(1)(a), (b), (c) or (d) or 7(1)(a), (b), (c), (d) or (g), the period condition is also satisfied if—

- (a) the person carrying out the activity does so at any time between 2 a.m. and 6 a.m. and
- (b) the activity gives the person the opportunity to have face-to-face contact with children or vulnerable adults (as the case may be).

Textual Amendments

F38 Word in Sch. 2 para. 10(1) substituted (1.4.2010) by Safeguarding Vulnerable Groups (Regulated Activity, Devolution Alignment and Miscellaneous Provisions) Order (Northern Ireland) 2010 (S.R. 2010/30), **art. 10**

Commencement Information

I10 Sch. 2 para. 10 wholly in operation; Sch. 2 para. 10 not in operation at date of making see art. 1(3); Sch. 2 para. 10 in operation for certain purposes at 14.4.2008 by S.R. 2008/127, **art. 4(c)**; Sch. 2 in operation at 13.3.2009 by S.R. 2009/41, **art. 3(1)(b)**

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