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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 69 (C. 6)**

**HEALTH AND PERSONAL SOCIAL SERVICES**

**The Health and Personal Social Services (2001 Act)  
(Commencement No. 5) Order (Northern Ireland) 2003**

*Made - - - - 13th February 2003*

The Department of Health, Social Services and Public Safety<sup>(1)</sup>, in exercise of the powers conferred on it by section 61(2) of the Health and Social Services Act (Northern Ireland) 2001<sup>(2)</sup> and of all other powers enabling it in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Health and Personal Social Services (2001 Act) (Commencement No. 5) Order (Northern Ireland) 2003.

(2) In this Order:

“the Act” means the Health and Personal Social Services Act (Northern Ireland) 2001.

**Appointed days**

2. 1st April 2003 is the day appointed for the coming into operation of the following provisions of the Act:

- (a) sections 3 (the register), 11 (qualifications obtained outside Northern Ireland), 15 (appeals to the Social Care Tribunal), and 16 (publication, etc. of the register);
- (b) the following provisions insofar as they are not already in operation –
  - (i) section 4 (applications for registration);
  - (ii) section 5 (grant or refusal of registration);
  - (iii) section 6 (removal, etc. from the register);
  - (iv) section 7 (rules about registration);
  - (v) section 9 (codes of practice);
  - (vi) section 10 (approval of courses, etc);
  - (vii) section 12 (post registration training);
  - (viii) section 13 (visitors for certain social work courses);

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(1) See S.I.1999/283 (N.I. 1) Article 3(6)

(2) 2001 c. 3 (N.I.)

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(ix) section 18 (rules).

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 13th February 2003.

L.S.

*Paul Martin*  
Senior Officer of the  
Department of Health, Social Services and  
Public Safety

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation on 1st April 2003 further provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 (“the Act”).

Article 2 of the Order brings into operation the provisions of Part I of the Act relating to social care workers, as follows:

- (a) sections 3 (the register), 11 (qualifications obtained outside Northern Ireland), 15 (appeals to the Social Care Tribunal) and 16 (publication etc. of the register) on 1st April 2003;
- (b) sections 4, 5, 6, 7, 9, 10, 12, 13 and 18 insofar as they are not already in operation on 1st April 2003.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 1) Order (Northern Ireland) 2001 ([S.R. 2001 No. 128 \(C. 5\)](#)) on the following dates:

| <i>Provision of the Act</i>  | <i>Date of Commencement</i> |
|--|-----------------------------|
| Sections 23 to 28  | 2nd April 2001              |
| Sections 41 to 47  | 2nd April 2001              |
| Sections 50 to 52  | 2nd April 2001              |
| Section 56 and Schedule 4  | 2nd April 2001              |
| Section 60(3) and Schedule 5 (partially)   | 2nd April 2001              |
| Sections 1(1), (3) and (4), Section 2 and Schedule 1   | 1st June 2001               |
| Sections 6, 7, 9, 10, 12, 13 and 18 (so far as necessary to allow the Council to make rules and prepare codes of practice) | 1st June 2001               |
| Sections 20 to 22  | 1st June 2001               |
| Section 54(1) and (2)  | 1st June 2001               |
| Sections 53 and 55, and Schedule 3   | 2nd July 2001               |

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 2) Order (Northern Ireland) 2001 ([S.R. 2001 No. 324 \(C. 16\)](#)) on the following dates:

| <i>Provision</i> | <i>Date of Commencement</i> |
|------------------|-----------------------------|
| Section 1(2)     | 1st October 2001            |

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| <i>Provision</i>  | <i>Date of Commencement</i> |
|---|-----------------------------|
| Sections 4 and 5 (for the purpose only of the exercise of any power of the Council to make rules) | 1st October 2001            |
| Sections 14, 17 and 19  | 1st October 2001            |
| Section 54(3)   | 1st November 2001           |

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 3) Order (Northern Ireland) 2002 ([S.R. 2002 No. 73 \(C. 6\)](#)) on the following dates:

| <i>Provision</i>  | <i>Date of Commencement</i> |
|---|-----------------------------|
| Section 39 (repeal of law about fund-holding practices) | 1st April 2002              |
| Schedule 5 (partially)                                  | 1st April 2002              |

The following provisions of the Health and Personal Social Services Act (Northern Ireland) 2001 were brought into operation by the Health and Personal Social Services (2001 Act) (Commencement No. 4) Order (Northern Ireland) 2002 ([S.R. 2002 No. 180 \(C. 17\)](#)) on the following dates:

| <i>Provision</i> | <i>Date of Commencement</i> |
|------------------|-----------------------------|
| Section 48       | 10th June 2003              |