

## STATUTORY INSTRUMENTS

# 1991 No. 194

## The Health and Personal Social Services (Northern Ireland) Order 1991

### Miscellaneous and general

#### Director of Public Health

**32.**—<sup>F1</sup>(1) The chief administrative medical officer of the Regional Agency shall be known as the Director of Public Health for Northern Ireland.

(1A) For any reference to the Director of Public Health of a Health and Social Services Board in—

- (a) the statutory provisions mentioned in paragraph (2);
- (b) any other statutory provision passed or made before the coming into operation of section 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009,

there shall be substituted a reference to the Director of Public Health for Northern Ireland.]

(2) The statutory provisions referred to in paragraph (1)(a) are—

- (a) section 1 of the Notification of Births Act 1907<sup>F2</sup>;
- (b) sections 125(2) and 134 of the Factories Act (Northern Ireland) 1965<sup>F3</sup>;
- (c) <sup>F4</sup> .....
- (d) <sup>F4</sup> .....

(3) In section 22A of the Public Health Act (Northern Ireland) 1967<sup>F5</sup> . . . (exercise of functions of chief administrative medical officer) for the words “other medical officer” there shall be substituted “other officer”.

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| <b>F1</b> | Art. 32(1)(1A) substituted (1.4.2009) for art. 32(1) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 32, 34(3), <b>Sch. 6 para. 13(11)</b> ; S.R. 2009/114, <b>art. 2</b> |
| <b>F2</b> | 1907 c. 40   |
| <b>F3</b> | 1965 c. 20 (NI)  |
| <b>F4</b> | Art. 32(2)(c)(d) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), <b>Sch. 7</b> ; S.R. 2009/114, <b>art. 2</b>                              |
| <b>F5</b> | Words in art. 32(3) repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), <b>Sch. 7</b> ; S.R. 2009/114, <b>art. 2</b>                           |

#### Regulations, orders <sup>F6</sup>, directions and guidance]

**33.**—(1) Regulations under this Order shall be subject to negative resolution <sup>F7</sup>; but this is subject to paragraph (1A).]

<sup>F8</sup>(1A) Regulations under the provisions mentioned in paragraph (1B) that amend only statutory instruments are subject to negative resolution; and no other regulations may be made under those provisions unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(1B) The provisions are—

- (a) Article 10B(8);
- (b) paragraph 22A(8) of Schedule 3.]

(2) Without prejudice to any other provision of this Order, any power conferred by this Order on the Department to make any regulations having a financial implication shall, if the Department of Finance and Personnel so directs, be exercisable only in conjunction with that Department.

(3) The Statutory Rules (Northern Ireland) Order 1979<sup>F9</sup> shall not apply to any order made by the Department under Article 13(1) or paragraph 24 of Schedule 3.

(4) Section 17(2) of the Interpretation Act (Northern Ireland) 1954 shall apply to a direction given by the Department under this Order as if the direction were a statutory instrument.

[<sup>F10</sup>(5) Any guidance given by the Department under this Order—

- (a) is to be in writing, and
- (b) may be varied or revoked by subsequent guidance.]

- F6** Words in art. 33 heading substituted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 147(5)**; S.R. 2022/102, art. 2(b)
- F7** Words in art. 33(1) inserted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 147(2)**; S.R. 2022/102, art. 2(b)
- F8** Art. 33(1A)(1B) inserted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 147(3)**; S.R. 2022/102, art. 2(b)
- F9** 1979 NI 12
- F10** Art. 33(5) inserted (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), **Sch. 1 para. 147(4)**; S.R. 2022/102, art. 2(b)

*Article 34—Amendments*

*Article 35—Repeals*

**Changes to legislation:**

There are currently no known outstanding effects for the The Health and Personal Social Services (Northern Ireland) Order 1991, Miscellaneous and general.