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STATUTORY INSTRUMENTS

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**1992 No. 3204**

**The Registered Homes (Northern Ireland) Order 1992**

**PART I**  
**INTRODUCTORY**

*Interpretation*

2.—(1) The Interpretation Act (Northern Ireland) 1954(1) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“Board” means a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972 and references to “the Board”, in relation to a residential care home or nursing home, are references to the Board for the area in which that home is situated;

“the Department” means the Department of Health and Social Services;

“government department” means a department of the Government of the United Kingdom or a Northern Ireland department;

“HSS trust” means a Health and Social Services trust established under the Health and Personal Social Services (Northern Ireland) Order 1991(2);

“maternity home” means any premises used, or intended to be used, for the reception of pregnant women, or of women immediately after childbirth;

“medical practitioner” means a fully registered person within the meaning of the Medical Act 1983(3);

“nursing home” has the meaning given by Article 16;

“personal care” has the meaning given by Article 3(4);

“prescribed” means prescribed by regulations;

“registered”, in relation to nurses or midwives, has the meaning given by section 10(7) of the Nurses, Midwives and Health Visitors Act 1979(4);

“regulations” means regulations made by the Department;

“relative” shall be construed in accordance with paragraphs (3) to (6);

“residential care home” has the meaning given by Article 3;

“small home” has the meaning given by Article 4(5);

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(1) 1954 c. 33 (N.I.)

(2) 1991 NI 1

(3) 1983 c. 54

(4) 1979 c. 36

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954(5).

- (3) Subject to paragraphs (4) to (6), in this Order “relative” means any of the following—
- (a) husband or wife;
  - (b) son or daughter;
  - (c) father or mother;
  - (d) brother or sister;
  - (e) grandparent or other ascendant;
  - (f) grandchild or other descendent;
  - (g) uncle or aunt;
  - (h) nephew or niece.
- (4) In deducing any relationship for the purposes of paragraph (3)—
- (a) any relationship by affinity shall be treated as a relationship by consanguinity, any relationship of the half-blood as a relationship of the whole blood, and the stepchild of any person as his child; and
  - (b) an illegitimate person shall be treated as the legitimate child of his mother and reputed father.
- (5) In paragraph (3) “husband” and “wife” include a person who is living with a person carrying on or intending to carry on a residential care home or nursing home as that person’s husband or wife, as the case may be, and who has been so living for a period of not less than 6 months.
- (6) A person, other than a relative, with whom a person carrying on or intending to carry on a residential care home or nursing home ordinarily resides, and with whom that person has been ordinarily residing for a period of not less than 5 years, shall be treated for the purposes of this Order as if he were a relative.