
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART XVII

MISCELLANEOUS AND GENERAL

Children accommodated in certain establishments

Children accommodated in hospitals

174.—(1) Where a child is provided with accommodation in a hospital administered by a Board—

- (a) for a consecutive period of at least three months; or
- (b) with the intention, on the part of the Board, of accommodating him for such a period,

the Board shall notify the responsible authority.

(2) Where a child is provided with accommodation in a hospital administered by a Health and Social Services trust—

- (a) for a consecutive period of at least three months; or
- (b) with the intention, on the part of the trust, of accommodating him for such a period,

the trust shall notify the responsible authority.

(3) Where paragraph (1) or (2) applies, the Board or trust shall also notify the responsible authority when the child ceases to be accommodated in the hospital.

(4) Paragraphs (1) to (3) shall not apply where the Board or trust is the responsible authority.

(5) In this Article “the responsible authority” means—

- (a) the authority appearing to the Board or trust to be the authority within whose area the child was ordinarily resident immediately before being accommodated in that hospital; or
- (b) where it appears to the Board or trust that the child was not resident within the area of any authority, the authority within whose area the hospital is situated.

(6) Where an authority has been notified under this Article or would but for paragraph (4) have been notified under this Article, it shall—

- (a) take such steps as are reasonably practicable to enable it to determine whether the child’s welfare is adequately safeguarded and promoted while he is accommodated by the Board or trust; and
- (b) consider the extent to which (if at all) any functions under this Order should be exercised with respect to the child by it or another Board or trust.

(7) A person authorised by an authority may enter a hospital for the purpose of establishing whether the requirements of this Article have been complied with.

(8) Any person exercising the power conferred by paragraph (7) shall, if so required, produce some duly authenticated document showing his authority to do so.