

2005 No. 104 (C. 8)

HEALTH AND PERSONAL SOCIAL SERVICES

**The Protection of Children and Vulnerable Adults
(2003 Order) (Commencement No. 2) Order
(Northern Ireland) 2005**

Made - - - - - *14th March 2005*

Coming into operation *1st April 2005*

The Department of Health, Social Services and Public Safety in exercise of the powers conferred upon it by Article 1(3) of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003(a) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Protection of Children and Vulnerable Adults (2003 Order) (Commencement No. 2) Order (Northern Ireland) 2005.

Appointed day

2. The 1st April 2005 is the day appointed for the coming into operation of all the provisions of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (except Article 46 of that Order), in so far as those provisions are not already in operation(b).

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 14th March 2005.

(L.S.)

A. Hamilton

A senior officer of the Department of Health, Social Services and Public Safety

(a) S.I. 2003/417 (N.I. 4)

(b) S.R. 2004 No. 466

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings into operation those Articles of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 which will place the Pre-Employment Consultancy Service Register on a statutory basis by the creation of two new lists: the Disqualification from Working with Children List and the Disqualification from Working with Vulnerable Adults List. It brings with it a duty for childcare organisations to check against the lists and to refer to the Department for consideration of inclusion on the list(s) those individuals deemed unsuitable to work with children. It also brings with it a duty for care providers to refer to the Department for consideration of inclusion on the list(s) those individuals deemed unsuitable to work with vulnerable adults. It is now an offence for those individuals disqualified from working with children to seek work in a regulated position or for an employer to knowingly offer them work in a regulated position. The Order allows for those individuals who are included on the statutory lists a right of appeal against those listings.

NOTE AS TO EARLIER COMMENCEMENT ORDER

(This note is not part of the Order.)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Article 3, (Duty of Department to keep list)	30.11.2004	2004 No. 466 (C. 24)
Article 4(1), (2) (a) to (c), (3) and (9) (Inclusion on list on reference following disciplinary action, etc.)	30.11.2004	2004 No. 466 (C. 24)
Article 10(1) and (2) (Inclusion in list on transfer from Pre-Employment Consultancy Service Register)	30.11.2004	2004 No. 466 (C. 24)
Article 20 (Interpretation)	30.11.2004	2004 No. 466 (C. 24)
Article 21(1) to (3) (Transitional provisions)	30.11.2004	2004 No. 466 (C. 24)
Article 35 (Duty of Department to keep list)	30.11.2004	2004 No. 466 (C. 24)
Article 36(1), (2)(a) to (c), (3) and (9) (Persons who provide care for vulnerable adults: duty to refer)	30.11.2004	2004 No. 466 (C. 24)
Article 41(1) and (2) (Inclusion in list on transfer from Pre-Employment Consultancy Service Register)	30.11.2004	2004 No. 466 (C. 24)
Article 48 (Interpretation)	30.11.2004	2004 No. 466 (C. 24)
Article 49(1) to (3) (Transitional provisions)	30.11.2004	2004 No. 466 (C. 24)

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