



Health and Social Care (Amendment) Act (Northern Ireland) 2014

2014 CHAPTER 5

An Act to amend the Health and Social Care (Reform) Act (Northern Ireland) 2009 and to make amendments consequential on that Act. [11th April 2014]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

Regional Business Services Organisation

Functions of RBSO: support services

1. (1) Section 15 of the 2009 Act (functions of the Regional Business Services Organisation) is amended as follows.

(2) For the title, substitute “Functions of RBSO: support services”.

(3) In subsection (1), for “other health and social care bodies” substitute “relevant bodies”.

(4) After subsection (1) insert—

“(1A) Each of the following is a relevant body for the purposes of this section—

- (a) any health and social care body (other than RBSO);
- (b) the Northern Ireland Social Care Council;
- (c) the Northern Ireland Practice and Education Council for Nursing and Midwifery;

(d) the Northern Ireland Fire and Rescue Service Board.

(1B) RBSO shall provide to the Department, or on behalf of the Department secure the provision to the Department of, such support services as the Department may after consultation with RBSO direct.”.

(5) In subsection (2)—

(a) for “any of those health and social care bodies” substitute “any relevant body or the Department,”; and

(b) in paragraph (i), for “and fraud prevention” substitute “, and counter-fraud and probity services”.

(6) In subsection (4)—

(a) for “each of the health and social care bodies” substitute “RBSO and such relevant bodies as the Department thinks appropriate”; and

(b) for “such health and social care bodies” substitute “such relevant bodies”.

Other functions of RBSO

2. After section 15 of the 2009 Act insert—

After subsection (1) insert—

“Other functions of RBSO

15A. (1) RBSO shall exercise on behalf of the Department such functions of the Department with respect to the administration of health and social care as the Department may direct.

(2) Where RBSO is directed under this section to exercise any function, it is the duty of RBSO to put in place arrangements for exercising the function which—

(a) secure that the function is exercised in the most economic, efficient and effective way; and

(b) are approved by the Department.”.

Minor amendments

Minor amendments

3. (1) In each of Schedules 1, 2 and 3 to the 2009 Act (constitution of the Regional Health and Social Care Board, the Regional Agency for Public Health and Social Well-being and the Regional Business Services Organisation), in paragraph 3, for sub-paragraph (3) substitute—

“(3) Regulations may provide—

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- (a) that the person appointed under sub-paragraph (1)(a) must fulfil prescribed conditions or hold a post of a prescribed description;
 - (b) that all or any of the persons appointed under sub-paragraph (1)(b) must fulfil prescribed conditions or hold posts of a prescribed description.”.
- (2) The Schedule to this Act (which contains amendments that are consequential on provisions of the 2009 Act) has effect.

Supplementary

Meaning of “the 2009 Act”

4. In this Act “the 2009 Act” means the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Short title

5. This Act may be cited as the Health and Social Care (Amendment) Act (Northern Ireland) 2014.

SCHEDULE

Section 3.

AMENDMENTS CONSEQUENTIAL ON THE 2009 ACT

General amendment of certain references

1. (1) In consequence of section 1(2) of the 2009 Act (renaming of the Northern Ireland Health and Personal Social Services Regulation and Improvement Authority), in any provision of Northern Ireland legislation—

(a) for “Northern Ireland Health and Personal Social Services Regulation and Improvement Authority” substitute “Health and Social Care Regulation and Quality Improvement Authority”; and

(b) for “Regulation and Improvement Authority” (where it occurs other than in the phrase “Northern Ireland Health and Personal Social Services Regulation and Improvement Authority”) substitute “RQIA”.

(2) Sub-paragraph (1) does not apply—

(a) to any reference in the 2009 Act;

(b) to any reference which is subject to amendment or repeal by any other provision of this Act; or

(c) where the context otherwise requires.

The Commissioner for Complaints (Northern Ireland) Order 1996 (NI 7)

2. (1) Schedule 2 (bodies subject to investigation) is amended as follows.

(2) Omit “The Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.”.

(3) At the appropriate place insert “The Health and Social Care Regulation and Quality Improvement Authority.”.

The Carers and Direct Payments Act (Northern Ireland) 2002 (c. 6)

3. In section 8 (direct payments)—

(a) in subsection (2)(a) for “personal social service” substitute “social care service”; and

(b) after subsection (7) insert—

“(8) In this section “social care service” means a service designed to secure any of the objects of section 2(1)(b) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.”.