STATUTORY RULES OF NORTHERN IRELAND

2003 No. 226

HEALTH AND PERSONAL SOCIAL SERVICES

The Carers (Services) and Direct Payments Regulations (Northern Ireland) 2003

Made - - - -	*7th April 2003*
Coming into operation	*5th May 2003*

The Department of Health, Social Services and Public Safety, in exercise of the powers conferred on it by Section 2 (3) and (4) and 10(5) of the Carers and Direct Payments Act (Northern Ireland) 2002(**1**), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Carers (Services) and Direct Payments Regulations 2003 and shall come into operation on 5th May 2003.

(2) In these Regulations –

"the Act" means the Carers and Direct Payments Act (Northern Ireland) 2002.

Services of an intimate nature and prescribed circumstances

2.—(1) For the purposes of section 2(3) of the Act a service delivered to the person cared for is of an intimate nature if it involves –

(a) lifting, washing, grooming, feeding, dressing, bathing, toileting, administering medicines or otherwise having physical contact with the person cared for;

(b) assistance in connection with washing, grooming, feeding, dressing, bathing, administering medicines or using the toilet; or

(c) supervising him whilst he is dressing, bathing or using the toilet

(2) Where a service is being delivered to the person cared for and –

(a) during the delivery of that service the person cared for asks the person delivering the service to provide a service of an intimate nature; or

(b) the person cared for is in a situation in which he is likely to suffer serious personal harm unless a service of an intimate nature is provided to him and

(i) the person cared for is unable to consent to the provision of that service, or

(**1**) 2002 c. 6