STATUTORY RULES OF NORTHERN IRELAND

1997 No. 184

HEALTH AND PERSONAL SOCIAL SERVICES

The Health and Personal Social Services (Fund-holding Practices) (Amendment) Regulations (Northern Ireland) 1997

Made - - - -	*26th March 1997*
Coming into operation	*1st April 1997*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 17(2) and (3), 18(4) and 19(1) to (5) of the Health and Personal Social Services (Northern Ireland) Order 1991(**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 Health and Personal Social Services (Fund-holding Practices) (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

(2) In these Regulations, "the principal Regulations" means the Health and Personal Social Services (Fund-holding Practices) Regulations (Northern Ireland) 1993(**2**).

Amendment of regulation 1 of the principal Regulations

2. In regulation 1(2) of the principal Regulations (interpretation)—

(a) after the definition of "bank account" insert—

> ""community fund-holding practice" means a fund-holding practice which has been granted recognition as a community fund-holding practice in accordance with regulation 4;"; and

(b) after the definition of "savings" insert—

> ""standard fund-holding practice" means a fund-holding practice which has been granted recognition as a standard fund-holding practice in accordance with regulation 4;".

(**1**) S.I.1991/194 (N.I. 1)
(**2**) S.R. 1993 No. 142, as amended by S.R. 1996 No. 131

Amendment of regulation 2 of the principal Regulations

3. In regulation 2 of the principal Regulations (application for recognition as a fund-holding practice), after paragraph (3) insert—

"(4) The application shall state whether it is an application for recognition as a community fund-holding practice or as a standard fund-holding practice.".

Amendment of regulation 4 of the principal Regulations

4. In regulation 4(1) of the principal Regulations (grant of recognition as a fund-holding practice) for "a fund-holding practice", substitute "a standard fund-holding practice or a community fund-holding practice (as the case may be)".

Amendment of regulation 6 of the principal Regulations

5. For regulation 6 of the principal Regulations (conditions for continuing recognition) substitute —

"**6.** Subject to the provisions of Part IV the members of a standard fund-holding practice or community fund-holding practice (as the case may be) shall continue to be entitled to recognition as such if and for so long as the conditions specified in Schedule 2 are fulfilled in relation to that practice.".

Amendment of regulation 8 of the principal Regulations

6. In regulation 8(1) of the principal Regulations (withdrawal or death of a member of a fund-holding practice) for "in relation to the practice in question", substitute "in relation to the kind of practice in question".

Application for change in status of a recognised fund-holding practice

7. After regulation 8 of the principal Regulations (withdrawal or death of a member of a fund-holding practice) insert the following regulation—

"**Application for change in status of a recognised fund-holding practice**

8A.—(1) A community fund-holding practice may apply to become a standard fund-holding practice and a standard fund-holding practice may apply to become a community fund-holding practice.

(2) In this regulation, an application under paragraph (1) is referred to as an "application for change in fund-holding status".

(3) An application for change in fund-holding status to take effect from 1st April in any year shall be made by 1st April in the preceding year or, in the case of an application from a standard fund-holding practice to become a community fund-holding practice, such later date as the Department may agree.

(4) Regulations 2, 4 and 5 shall apply to an application for change in fund-holding status as they apply to an application for recognition as a fund-holding practice but as if the references in those regulations—

(a) to an application were references to an application for change in fund-holding status; and

(b) to the grant or refusal of recognition were references to the grant or refusal of an application for change in fund-holding status.".