



Number 6 of 2016

Health (Amendment) Act 2016



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Section

1. Amendment of section 69 of Health Act 2007
2. Short title

[No. 6.]

Health (Amendment) Act 2016.

[2016.]

ACT REFERRED TO

Health Act 2007 (No. 23)



Number 6 of 2016

HEALTH (AMENDMENT) ACT 2016

An Act to amend section 69 of the Health Act 2007; and to provide for related matters.

[26th July, 2016]

Be it enacted by the Oireachtas as follows:

Amendment of section 69 of Health Act 2007

1. Section 69 of the Health Act 2007 is amended—

(a) by the substitution of the following subsection for subsection (1):

“(1) In this section—

‘institution’ means any—

- (a) institution or part of one,
- (b) residential centre or part of one, or
- (c) home or part of one,

that, immediately before the relevant day, is a designated centre other than a designated centre which is a special care unit;

‘relevant day’ means—

(a) in the case of an institution to which—

- (i) before 1 January 2014, paragraph (a)(iii) of the definition of ‘designated centre’ applied as that definition was in force immediately before that date, and
- (ii) on and after 1 January 2014, paragraph (a)(iii) of the definition of ‘designated centre’ applies as that definition is in force on and after that date,

1 July 2009,

(b) in the case of an institution to which—

- (i) before 1 January 2014, paragraph (b) of the definition of ‘designated centre’ applied as that definition was in force immediately before that date, and

- (ii) on and after 1 January 2014, paragraph (c) of the definition of ‘designated centre’ applies as that definition is in force on and after that date,

1 July 2009,

- (c) in the case of an institution to which—

- (i) before 1 January 2014, paragraph (a)(ii) of the definition of ‘designated centre’ applied as that definition was in force immediately before that date, and

- (ii) on and after 1 January 2014, paragraph (a)(ii) of the definition of ‘designated centre’ applies as that definition is in force on and after that date,

1 November 2013, and

- (d) in the case of an institution to which—

- (i) before 1 January 2014, paragraph (a)(i) of the definition of ‘designated centre’ applied as that definition was in force immediately before that date, and

- (ii) on and after 1 January 2014, paragraph (a)(i) of the definition of ‘designated centre’ applies as that definition is in force on and after that date,

the day on which this Part comes into operation in so far as it relates to a designated centre to which this paragraph applies.”,

and

- (b) by the substitution of the following subsection for subsection (2):

“(2) A person who, immediately before the relevant day, was carrying on the business of an institution and providing residential services at the institution may, notwithstanding section 46, continue to do so—

- (a) in the case of an institution other than an institution to which paragraph (c) of the definition of ‘relevant day’ applies, for a period not exceeding 3 years commencing on the relevant day or such shorter period as the chief inspector may determine, and

- (b) in the case of an institution to which paragraph (c) of the definition of ‘relevant day’ applies, for a period not exceeding 5 years commencing on the relevant day or such shorter period as the chief inspector may determine.”.

Short title

2. This Act may be cited as the Health (Amendment) Act 2016.