



STATUTORY INSTRUMENTS.

S.I. No. 293 of 2016

HEALTH ACT 2007 (CARE AND WELFARE OF RESIDENTS IN
DESIGNATED CENTRES FOR OLDER PEOPLE) (AMENDMENT)
REGULATIONS 2016

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DESIGNATED CENTRES FOR OLDER PEOPLE) (AMENDMENT)
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I, SIMON HARRIS, Minister for Health, in exercise of the powers conferred on me by section 101 of the Health Act 2007 (No. 23 of 2007) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011)), hereby make the following regulations:

Citation and commencement

1. These Regulations may be cited as the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2016.

Definition

2. In these Regulations "Principal Regulations" means the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2013 (S.I. No.415 of 2013).

Amendment of Regulation 24 of Principal Regulations

3. Regulation 24(1) of the Principal Regulations is amended by the insertion of ", including terms relating to the bedroom to be provided to the resident and the number of other occupants (if any) of that bedroom," after "the terms".

Amendment of Schedule 6 to the Principal Regulations

4. Schedule 6 to the Principal Regulations is amended by—

(a) the insertion of the following paragraphs after paragraph 1 of Part 1:

“1A. In a designated centre which was carrying on the business of a designated centre before 1 July 2009, or a part of a designated centre where such business was carried on before that date, the area of floor space for each resident and the number of residents in each bedroom in that designated centre or part of a designated centre on the day the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2016 come into operation is an acceptable area of floor space for each resident of the bedroom and an acceptable number of residents for that bedroom.

1B. On and from 1 January 2022, a bedroom in a designated centre which was carrying on the business of a designated centre on or before 1 July 2009 or a part of a designated centre where such business was carried on before that date shall have an area of not less than 7.4 m²

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“Iris Oifigiúil” of 10th June, 2016.*

of floor space, which area shall include the space occupied by a bed, a chair and personal storage space, for each resident of that bedroom and no bedroom shall have more than 4 residents other than a high-dependency room which shall not have more than 6 residents.

1C. The area of floor space for a resident of a bedroom in a designated centre shall not be reduced from the area of floor space provided for the resident on the day the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2016 come into operation.

1D. The number of residents of a bedroom in a designated centre shall not be increased from the number of residents in the bedroom on the day the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2016 come into operation.”,

(b) the substitution of the following clause for clause 3(i) of Part 1:

“(i) adequate sitting and recreational space other than a resident’s private accommodation and, on and from 1 January 2022, dining facilities for all residents which can cater to the number of residents concerned but not necessarily for all residents at the same sitting,”, and

(c) the insertion of the following clause after clause (c) of Part 3:

“(cc) on and from 1 January 2022, toilets, including toilets of the type referred to in paragraph (c), which are easily accessible by, and in close proximity to, but not necessarily en suite with the bedrooms of every 8 residents,”.



GIVEN under my Official Seal,
7 June 2016.

SIMON HARRIS,
Minister for Health.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations amend the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2013 in relation to the accommodation (including the amount of space in bedrooms, the sanitary conveniences and dining facilities). The Regulations also provide that as part of the contract for the provision of services all prospective residents be informed of whether the bedroom available for them is single or multi-occupancy.

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