



STATUTORY INSTRUMENTS.

S.I. No. 381 of 2009



NURSING HOMES SUPPORT SCHEME ACT 2009 (COMMENCEMENT)
(CARE REPRESENTATIVES AND REGULATIONS) ORDER 2009

(Prn. A9/1322)

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(CARE REPRESENTATIVES AND REGULATIONS) ORDER 2009

I, MARY HARNEY, Minister for Health and Children, in exercise of the powers conferred on me by section 2 of the Nursing Homes Support Scheme Act 2009 (No. 15 of 2009), hereby order as follows:

1. This Order may be cited as the Nursing Homes Support Scheme Act 2009 (Commencement) (Care Representatives and Regulations) Order 2009.

2. In this Order “Act of 2009” means the Nursing Homes Support Scheme Act 2009 (No. 15 of 2009).

3. The 5th day of October 2009 is appointed as the day on which the following provisions of the Act of 2009 come into operation:

(a) section 3, in so far as not already in operation;

(b) sections 21 and 22, and

(c) section 36.



GIVEN under my Official Seal,
21 September 2009.

MARY HARNEY,
Minister for Health and Children.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 25th September, 2009.*

EXPLANATORY NOTE

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

The effect of this Order is to commence sections 21 and 22 of the Nursing Homes Support Scheme Act 2009 to enable the appointment of care representatives. A care representative is required where an applicant to the scheme lacks the mental capacity to apply for ancillary State support and to consent to the creation of a charge on the relevant property.

In order to fully commence section 21, it is necessary to make regulations prescribing the format of reports submitted to the court under that section. For this reason, section 36 of the Act is also commenced.

Finally, the interpretation section (section 3), which defines the terms used within the Act, is commenced.

The Nursing Homes Support Scheme is a scheme of financial support for people in need of long-term residential care.

BAILE ÁTHA CLIATH
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