

**25. Regulation of Care Bill 2012 –
Motion carried**

The Minister for Social Care to move:

That in pursuance of Tynwald Standing Order 10.5 and in order to give effect to the Regulation of Care Bill 2012, the following amendments are necessary:

1. In clause 57(1)(d) after ‘about’ insert ‘, and be accompanied by the prescribed documents relating to,’.

2. For clause 57(2) substitute—

‘(2) If the application is for provider registration and the applicant is a body corporate—

(a) the body corporate must identify an individual (“the nominee”) whom it proposes as care service’s responsible person; and

(b) the application must include, or be accompanied by, the prescribed documents or information about the nominee.’

The President: In that case, I call on the Minister for Social Care to move Item 25 in relation to the Regulation of Care Bill.

The Hon. Member, Mrs Beecroft, has declared an interest and will absent herself.

The Minister for Social Care (Mr Robertshaw): Thank you, Madam President.

In pursuance of Tynwald Standing Order 10.5 and in order to give effect to the Regulation of Care Bill 2012, the motion before Hon. Members today seeks a small amendment to the Regulation of Care Bill 2012, which was passed by the branches in February 2013.

The amendment will make provision for the Department to prescribe documents to accompany all applications for registrations under the Regulation of Care Bill. The Regulation of Care Bill already includes provision for the Department to prescribe documents to accompany an application or provide a registration. This amendment is necessary to replicate these provisions. It will allow the Department to also prescribe documents to accompany an application for manager registration and, if the application is a body corporate, their nominee.

Since the Regulation of Care Bill was initially drafted, there have been revisions to the process for criminal record checks, which now result in a certificate only being issued to an individual; rather than, as previously, both the employee and the individual.

The Department can only grant registration if satisfied that certain criteria are met, as stated in section 59(3) of the Bill. Criminal convictions are extremely important and not being able to require a manager – or, if the applicant is a body corporate, their nominee – to produce their certificate means the Department cannot fulfil its duty under that part.

The above amendment is therefore necessary to allow the Department to prescribe in regulations that a criminal convictions certificate needs to accompany all applications for registration.

I hope, Madam President, Hon. Members will be able to support the motion.

The President: Hon. Member for Castletown, Mr Ronan.

Mr Ronan: Thank you, Madam President.

I beg to second and reserve my remarks.

The President: If there is no comment, Hon. Members, the motion before the Court is set out at Item 25 on your Order Paper. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.