



Jersey

## **REGULATION OF CARE (REGULATED ACTIVITIES) REGULATIONS**

### **Explanatory Note**

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These Regulations amend Schedule 1 of the Regulation of Care (Jersey) Law 2014 so as to describe as regulated activities for the purpose of that Law –

- (a) the provision of a care home service;
- (b) the provision of a home care service; and
- (c) the provision of an adult day care service.





Jersey

## **REGULATION OF CARE (REGULATED ACTIVITIES) REGULATIONS**

### **Arrangement**

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#### **Regulation**

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#### **SCHEDULE** **6**

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Jersey

## **REGULATION OF CARE (REGULATED ACTIVITIES) REGULATIONS**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Article 2 of the Regulation of Care (Jersey) Law 2014, have made the following Regulations –

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### **1 Schedule 1 of Law substituted**

For Schedule 1 to the Regulation of Care (Jersey) Law 2014 there shall be substituted the Schedule to these Regulations.

### **2 Citation and commencement**

These Regulations may be cited as the Regulation of Care (Regulated Activities) (Jersey) Regulations 201- and shall come into force

**SCHEDULE**

(Regulation 1)

**SCHEDULE AMENDED****“SCHEDULE 1**

(Article 2(1))

**REGULATED ACTIVITIES****1 Provision of care home service**

- (1) The provision of a care home service is a regulated activity.
- (2) In this paragraph a “care home service” is a service providing residential accommodation together with care, whether on a temporary or permanent basis, to adults or children where residents have no choice as to the provider of the care, other than a service provided in –
  - (a) a hospital;
  - (b) a school;
  - (c) a prison or Young Offenders Institution; or
  - (d) private accommodation occupied exclusively by the care receiver and his or her family.
- (3) For clarity, nothing in sub-paragraph 2(c) prevents a secure children’s home being a care home service.

**2 Provision of home care service**

- (1) The provision of a home care service is a regulated activity.
- (2) In this paragraph a “home care service” is a service consisting of the provision of care to an individual in his or her own home by any person –
  - (a) for reward (whether in money or in kind and whether or not that person is a relative or friend of the care receiver); or
  - (b) as part of a professional service offered to the individual free of charge,  
other than a service that is carried on exclusively by a Minister.
- (3) However –
  - (a) the giving of birthday, Christmas and similar gifts, the reimbursement of expenses or the payment of, or a contribution towards, the cost of shared meals or travel by a care receiver to or for the benefit of the person providing care does not constitute reward;
  - (b) the services provided by an employment agency whereby an individual is introduced to a care receiver but there is no



ongoing management or control of the care provided by the individual do not constitute the provision of a home care service by that agency.

### **3 Provision of adult day care service**

- (1) The provision of an adult day care service is a regulated activity.
- (2) In this paragraph “adult day care service” means a service providing premises other than a private home –
  - (a) for adult persons only;
  - (b) for a limited number of hours in any one day without overnight accommodation; and
  - (c) for care that is not limited to social activities, self-help or advice.

### **4 Interpretation for Schedule**

In this Schedule –

“care” means nursing care or social care;

“care receiver” means a person in receipt of care.”.

