

## Schedule 1

### Part 1 Relevant Work or Activities Relating to Children

1.

**Any work or activity** which is carried out by a person, **a necessary and regular part** of which consists **mainly** of the person having **access** to, or **contact** with, children in–

(a) an establishment which provides **pre-school services** within the meaning of Part VII of the Child Care Act 1991,

(b) a **school or centre of education**, both within the meaning of the Education Act 1998,

(c) any **hospital or health care centre** which receives, treats or otherwise provides services to children,

(d) a **designated centre** within the meaning of **section 2 of the Health Act 2007**, in so far as it relates to an institution at which **residential services** are provided in accordance with the Child Care Act 1991,

(e) **a special care unit** provided and maintained in accordance with section 23K of the Child Care Act 1991,

(f) a **children detention school** within the meaning of section 3 of the Children Act 2001,

(g) a **reception or accommodation centre** which provides **residential accommodation** services to applicants for **asylum** under contract to the Department of Justice and Equality.

2.

Any work or activity which consists of the provision of home tuition by a person pursuant to the Scheme administered and funded by the Department of Education and known as the **Home Tuition**

**Scheme.**

3.

Any work or activity which consists of **treatment, therapy or counselling** provided to a child by a person in the course of that work or activity.

4.

Any work or activity which consists of **care or supervision** of children **unless** the care or supervision is **merely incidental** to the care or supervision of persons who are not children.

5.

Any work or activity which consists of the **provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration)** to children **unless** the provision of educational, training, cultural, recreational, leisure, social or physical activities is **merely incidental** to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children.

6.

Any work or activity which consists of the provision of **advice, guidance or developmental services (including by means of electronic interactive communications)** to children **unless** the provision of the advice, guidance or developmental service is **merely incidental** to the provision of those services to persons who are not children.

7.

Any work or activity **as a minister or priest or any other person** engaged in the **advancement of any religious beliefs** to children **unless** such work or activity is **merely incidental** to the advancement of religious beliefs to persons who are not children.

8.

Work as a **driver of a public service vehicle** which is being used **only** for the purpose of conveying children.

9.

The **provision** by a person, whether or not for commercial or other consideration, of **accommodation for a child in his or her own home.**

10.

**Any research work or activities** (howsoever described) carried out **in a university, institute of technology or other establishment at which third level education** is provided where **a necessary and regular part** of the research work or activity **involves contact with or access to** children.

11.

Any application by a person **to carry on or manage a designated centre** within the meaning of **section 2 of the Health Act 2007.**

12.

**Any application** by a person for a **declaration of eligibility and suitability** within the meaning of **section 3 of the Adoption Act 2010.**

13.

**Any assessment** of a person's **suitability to act as a foster carer** by or under **section 39** of the Child Care Act 1991.

14.

**Any assessment** by or under **section 41** of the Child Care Act 1991 of a **person's suitability to act as a carer** of a child in respect of whom he or she is a **relative.**

15.

**Any work or activity** which is carried on by a person, **a necessary and regular part** of which **requires** the person to have **access to, or contact with**, children pursuant to the following enactments:

- (a) Medical Practitioners Act 2007;
- (b) Nurses Act 1985;
- (c) Nurses and Midwives Act 2011;
- (d) Dentists Act 1985;
- (e) Health and Social Care Professionals Act 2005;
- (f) Pharmacy Act 2007;
- (g) Pre-Hospital Emergency Care Council Order 2000 (S.I. No. 109 of 2000);
- (h) Pre-Hospital Emergency Care Council (Establishment) Order 2000 (Amendment) Order 2004 (S.I. No. 575 of 2004).

## **Part 2 Relevant Work or Activities Relating to Vulnerable Persons**

1.

**Any work or activity** which is carried out by a person, **a necessary and regular part** of which consists **mainly** of the person having access to, or contact with, vulnerable persons in–

(a) **a school or centre of education**, both within the meaning of the Education Act 1998, **unless, in the case of a centre of education**, the work or activity is **merely incidental** to work or activities undertaken in relation to persons who are not vulnerable persons,

(b) **any hospital or care centre** which receives, treats or otherwise which provides services to vulnerable persons,

(c) **a designated centre** within the meaning of **section 2 of the Health Act 2007**, in so far as it relates to an institution at which **residential services** are provided to vulnerable persons,

(d) **an approved centre** within the meaning of Part 5 of the **Mental Health Act 2001**.

2.

Any work or activity which consists of **treatment, therapy or counselling** provided to a vulnerable person by a person in the course of that work or activity.

3.

Any work or activity which consists of the **care (including the provision of health and personal social services and essential domestic services)** of vulnerable persons **unless** the care is **merely incidental** to the care of persons who are not vulnerable persons.

4.

Any work or activity which consists of the **provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration)** to vulnerable persons **unless** the provision of educational, training, cultural, recreational, leisure, social or physical activities is **merely incidental** to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not vulnerable persons.

5.

Any work or activity which consists of the provision of **advice, guidance or developmental services (including by means of electronic interactive communications)** to vulnerable persons **unless** the provision of the advice, guidance or developmental service is **merely incidental** to the provision of those services to persons who are not vulnerable persons.

6.

Work as a **driver of a public service vehicle** which is being used **only** for the purpose of conveying vulnerable persons.

7.

Any work or activity **as a minister or priest or any other person** engaged in the **advancement of any religious beliefs** to vulnerable persons **unless** such work is **merely incidental** to the advancement of religious beliefs to persons who are not vulnerable persons.

8.

The **provision** by a person, whether or not for commercial or other consideration, of **accommodation for a vulnerable person in his or her own home.**

9.

**Any research work or activities** (howsoever described) carried out **in a university, institute of technology or other establishment at which third level education** is provided where **a necessary and regular part** of the research work or activity **involves contact with or access to** vulnerable persons.

10.

**Any assessment** of a person's **suitability** to act as a **care representative** under **section 21 of the Nursing Homes Support Scheme Act 2009.**

11.

Any application by a person **to carry on or manage a designated centre** both within the meaning of section 2 of the Health Act 2007.

12.

**Any work or activity** which is carried on by a person, **a necessary and regular part** of which **requires** the person to have **access to, or contact with,** vulnerable persons pursuant to the following enactments:

(a) Medical Practitioners Act 2007;

(b) Nurses Act 1985;

(c) Nurses and Midwives Act 2011;

(d) Dentists Act 1985;

(e) Health and Social Care Professionals Act 2005;

(f) Pharmacy Act 2007;

(g) Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000);

(h) Pre-Hospital Emergency Care Council (Establishment) Order 2000 (Amendment)

Order 2004 (S.I. No. 575 of 2004).