



2011 CHAPTER 1

Supplementary provisions

Privilege for certain publications

22. For the purposes of the law of defamation, publication by the Commissioner of any matter which the Commissioner is required or authorised to publish under this Act is absolutely privileged.

Application of this Act: relevant authorities with mixed functions

23.—(1) In relation to a general health care provider, the relevant authority provisions of this Act apply only in relation to matters arising in connection with any general health care provided by that provider.

(2) In relation to an independent provider, the relevant authority provisions of this Act apply only in relation to matters arising in connection with a service which the independent provider was providing, or which it was the independent provider's function to provide, under arrangements with a health and social care body or a general health care provider.

(3) In relation to any other relevant authority (except a person carrying on or managing a residential care home or nursing home), the relevant authority provisions of this Act apply only in relation to matters arising in connection with the exercise by the authority of its public functions.

(4) For the purposes of this section—

“public functions” means functions other than those of a private nature;

“the relevant authority provisions of this Act” are—

- (a) section 3(3) and (7);
- (b) section 4(4);

- (c) sections 5 to 9;
- (d) sections 13 to 20; and
- (e) Schedule 2.

Application of this Act: matters arising before commencement

24. This Act applies in relation to matters arising before as well as after it comes into operation.