STATUTORY INSTRUMENTS

1993 No. 1250

The Access to Health Records (Northern Ireland) Order 1993

Supplementary

Applications to the court

10.—(1) Subject to paragraph (2), where the court is satisfied, on an application made by the person concerned within such period as may be prescribed by rules of court, that the holder of a health record has failed to comply with any requirement of this Order, the court may order the holder to comply with that requirement.

(2) The court shall not entertain an application under paragraph (1) unless it is satisfied that the applicant has taken all such steps to secure compliance with the requirement as may be prescribed by regulations made by the Department.

(3) For the purposes of paragraph (2), the Department may by regulations require the holders of health records to make such arrangements for dealing with complaints that they have failed to comply with any requirements of this Order as may be prescribed by the regulations.

(4) For the purpose of determining any question whether an applicant is entitled to be given access under Article 5(2) to any health record, or any part of a health record, the court—

(a) may require the record or part to be made available for its own inspection; but

(b) shall not, pending determination of that question in the applicant's favour, require the record or part to be disclosed to him or his representatives whether by discovery or otherwise.

(5) The jurisdiction conferred by this Article shall be exercisable by the High Court or a county court.

Changes to legislation:
The Access to Health Records (Northern Ireland) Order 1993, Section 10 is up to date with all changes known to be in force on or before 08 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- Instrument am. (prosp.) by 1998 c. 29 s.74(1)Sch.15 para.17
- defns. of child and parental responsibility rev. in Pt- by 1998 c. 29 s.74(2)Sch.16 Pt.II