

## STATUTORY INSTRUMENTS

# 1993 No. 1250

## The Access to Health Records (Northern Ireland) Order 1993

### Main provisions

#### “Health record” and related expressions

- 3.—(1) In this Order “health record” means a record which—
- (a) consists of information relating to the physical or mental health of an individual who can be identified from that information, or from that and other information in the possession of the holder of the record; and
  - (b) has been made by or on behalf of a health professional in connection with the care of that individual;

F1 . . .

- (2) In this Order “holder”, in relation to a health record, means—
- [<sup>F2</sup>(a) in the case of a record made by a health professional performing primary medical services under a general medical services contract made with [<sup>F3</sup>the Department] , the person or body who entered into the contract with [<sup>F4</sup>the Department] (or, in a case where more than one person so entered into the contract, any such person);
  - (aa) in the case of a record made by a health professional performing such services in accordance with arrangements under Article 15B of the Health and Personal Social Services (Northern Ireland) Order 1972 with [<sup>F3</sup>the Department] , the person or body which made the arrangements with [<sup>F4</sup>the Department] (or, in a case where more than one person so made the arrangements, any such person);]
  - (b) in the case of a record made by a health professional for purposes connected with the provision of [<sup>F5</sup>health care] by a health service body[<sup>F2</sup> (and not falling within subparagraph (aa))], the health service body by which or on whose behalf the record is held;
  - (c) in any other case, the health professional by whom or on whose behalf the record is held.
- (3) In this Order “patient”, in relation to a health record, means the individual in connection with whose care the record has been made.

**F1** with saving 1998 c. 29

**F2** 2004 NI 2

**F3** Words in art. 3(2) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 153\(3\)\(a\)](#); S.R. 2022/102, art. 2(b)

**F4** Words in art. 3(2) substituted (1.4.2022) by [Health and Social Care Act \(Northern Ireland\) 2022 \(c. 3\)](#), s. 8(1)(b), [Sch. 1 para. 153\(3\)\(b\)](#); S.R. 2022/102, art. 2(b)

**F5** Words in Order substituted (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), ss. 32, 34(3), [Sch. 6 para. 1\(1\)\(b\)](#) (with Sch. 6 para. 1(3)); S.R. 2009/114, [art. 2](#)

**Changes to legislation:**

The Access to Health Records (Northern Ireland) Order 1993, Section 3 is up to date with all changes known to be in force on or before 14 August 2023. 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](#)
- art.3(1) rev. in pt. (prosp.) by [1998 c. 29 s.74\(2\)Sch.16 Pt.II](#)