
STATUTORY INSTRUMENTS

1993 No. 1250

The Access to Health Records (Northern Ireland) Order 1993

Main provisions

Cases where right of access may be partially excluded

- 7.—(1) [^{F1}Access shall not be given under Article 5(2) to any part of a health record]
- (a) which, in the opinion of the holder of the record, would disclose—
 - (i) information likely to cause serious harm to the physical or mental health^{F1} . . . of any^{F1} . . . individual; or
 - (ii) information relating to or provided by an individual, other than the patient, who could be identified from that information; or
 - (b) which was made before the coming into operation of this Order.
- (2) Paragraph (1)(a)(ii) shall not apply—
- (a) where the individual concerned has consented to the application; or
 - (b) where that individual is a health professional who has been involved in the care of the patient;

and paragraph (1)(b) shall not apply where and to the extent that, in the opinion of the holder of the record, the giving of access is necessary in order to make intelligible any part of the record to which access is required to be given under Article 5(2).

(3) Where an application is made under paragraph (1)(c), (d) or (e) of Article 5, access shall not be given under paragraph (2) of that Article to any part of the record which, in the opinion of the holder of the record, would disclose—

- (a) information provided by the patient in the expectation that it would not be disclosed to the applicant; or
- (b) information obtained as a result of any examination or investigation to which the patient consented in the expectation that the information would not be so disclosed.

(4) Where an application is made under paragraph (1)(e) of Article 5, access shall not be given under paragraph (2) of that Article to any part of the record which, in the opinion of the holder of the record, would disclose information which is not relevant to any claim which may arise out of the patient's death.

(5) The Department may by regulations provide that, in such circumstances as may be prescribed by the regulations, access shall not be given under Article 5(2) to any part of a health record which satisfies such conditions as may be so prescribed.

Changes to legislation:

The Access to Health Records (Northern Ireland) Order 1993, Section 7 is up to date with all changes known to be in force on or before 23 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](#)