
STATUTORY INSTRUMENTS

1993 No. 1250

The Access to Health Records (Northern Ireland) Order 1993

Main provisions

Duty of health service bodies to take advice

9.—(1) A health service body shall take advice from the appropriate health professional before it decides whether it is satisfied as to any matter for the purposes of this Order, or forms an opinion as to the matter for those purposes.

(2) In this Article “the appropriate health professional”, in relation to a Health and Social Services Board which is the holder of the record by virtue of Article 3(2)(a), means—

- (a) where the patient’s most recent general practitioner is available, that practitioner; and
- (b) where that practitioner is not available, a registered medical practitioner who has the necessary experience and qualifications to advise the Board on the matter in question.

(3) In this Article “the appropriate health professional”, in relation to a health service body (other than a Health and Social Services Board which is the holder of the record by virtue of Article 3(2)(a)), means—

- (a) where, for purposes connected with the provision of health services by the body, one or more medical or dental practitioners are currently responsible for the clinical care of the patient, that practitioner or, as the case may be, such one of those practitioners as is the most suitable to advise the body on the matter in question;
- (b) where sub-paragraph (a) does not apply but one or more medical or dental practitioners are available who, for purposes connected with the provision of such services by the body, have been responsible for the clinical care of the patient, that practitioner or, as the case may be, such one of those practitioners as was most recently so responsible; and
- (c) where neither sub-paragraph (a) nor sub-paragraph (b) applies, a health professional who has the necessary experience and qualifications to advise the body on the matter in question.