



Parliamentary and Health Service Commissioners Act 1987

1987 CHAPTER 39

4 Consultation and disclosure of information.

- (1) In section 11 of the 1967 Act (provision for secrecy of information), the following subsection shall be inserted after subsection (2)—

“(2A) Where the Commissioner also holds office as a Health Service Commissioner and a person initiates a complaint to him in his capacity as such a Commissioner which relates partly to a matter with respect to which that person has previously initiated a complaint under this Act, or subsequently initiates such a complaint, information obtained by the Commissioner or his officers in the course of or for the purposes of investigating the complaint under this Act may be disclosed for the purposes of his carrying out his functions in relation to the other complaint.”.

- (2) The following section shall be inserted after that section—

“11A Consultations between Parliamentary Commissioner and Health Service Commissioners.

- (1) Where, at any stage in the course of conducting an investigation under this Act, the Commissioner forms the opinion that the complaint relates partly to a matter within the jurisdiction of the Health Service Commissioner for England, Wales or Scotland, he shall—
- (a) unless he also holds office as that Commissioner, consult about the complaint with him; and
 - (b) if he considers it necessary, inform the person initiating the complaint under this Act of the steps necessary to initiate a complaint under Part V of the National Health Service Act 1977 (Health Service Commissioner for England and for Wales) or, as the case may be, Part VI of the National Health Service (Scotland) Act 1978 (Health Service Commissioner for Scotland).

Changes to legislation: There are currently no known outstanding effects for the Parliamentary and Health Service Commissioners Act 1987, Section 4. (See end of Document for details)

- (2) Where by virtue of subsection (1) above the Commissioner consults with the Health Service Commissioner in relation to a complaint under this Act, he may consult him about any matter relating to the complaint, including—
 - (a) the conduct of any investigation into the complaint; and
 - (b) the form, content and publication of any report of the results of such an investigation.
- (3) Nothing in section 11(2) of this Act shall apply in relation to the disclosure of information by the Commissioner or any of his officers in the course of consultations held in accordance with this section.”.

^{F1}(3)

^{F1}(4)

^{F1}(5)

Textual Amendments

F1 S. 4(3)-(5) repealed (5.2.1994) by 1993 c. 46, ss. 20(2), 22(4), **Sch.3** (with s. 3(4)).

Changes to legislation:

There are currently no known outstanding effects for the Parliamentary and Health Service Commissioners Act 1987, Section 4.