



# Access to Health Records Act 1990

## 1990 CHAPTER 23

### *Supplemental*

#### **11 Interpretation.**

In this Act—

“application” means an application in writing and “apply” shall be construed accordingly;

“care” includes examination, investigation, diagnosis and treatment;

<sup>F1</sup> . . .

<sup>F2</sup>“general medical services contract” means a contract under <sup>F3</sup> section 84 of the National Health Service Act 2006 or section 42 of the National Health Service (Wales) Act 2006;]

<sup>F4</sup>“general medical services contract” means a contract under section 17J of the National Health Service (Scotland) Act 1978]

<sup>F5</sup> . . .

<sup>F6</sup><sup>F7</sup>“Health Authority” means a Health Authority established under section 8 of the National Health Service Act 1977;]

“Health Board” has the same meaning as in the National Health Service (Scotland) Act 1978;

“health service body” means—

- (a) <sup>F8</sup><sup>F9</sup> a <sup>F10</sup> . . . Health Authority][<sup>F11</sup>, Special Health Authority [<sup>F12</sup><sup>F13</sup> or Local] Health Board]<sup>F14</sup> . . .];
- (b) a Health Board;
- (c) <sup>F15</sup> a State Hospital Management Committee constituted under section 91 of the <sup>M1</sup> Mental Health (Scotland) Act 1984; [<sup>F16</sup> or]
- (d) a National Health Service trust first established under section 5 of the <sup>M2</sup> National Health Service and Community Care Act 1990 [<sup>F17</sup>, section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006] or section 12A of the National Health Service (Scotland) Act 1978;
- (e) [<sup>F18</sup> an NHS foundation trust;]

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(f) [<sup>F19</sup>NHS England;]

“information”, in relation to a health record, includes any expression of opinion about the patient;

[<sup>F20</sup>“Local Health Board” means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006;]

“make”, in relation to such a record, includes compile;

F1 . . .

F21 . . .

[<sup>F22</sup>“Special Health Authority” means a Special Health Authority established under [<sup>F23</sup>section 28 of the National Health Service Act 2006 or section 22 of the National Health Service (Wales) Act 2006].]

F24 . . .]]

### Textual Amendments

- F1** Definitions of “child” and “parental responsibility” repealed (1.3.2000) by 1998 c. 29, s. 74(2) Sch. 16 Pt. I; S.I. 2000/183, art. 2(1)
- F2** S. 11: definition of “general medical services contract” inserted (E.W.) (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 184, 199, Sch. 11 para. 57(5)(a); S.I. 2004/288, art. 5(1)(2)(v) (as amended by S.I. 2004/866, art. 2); S.I. 2004/480, art. 4(2)(z) (as amended by S.I. 2004/1019, art. 2)
- F3** In s. 11 words in definition of “general medical services contract” substituted (E.W.) (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8, Sch. 1 para. 136(a) (with Sch. 3 Pt. 1)
- F4** S. 11: definition of “general medical services contract” inserted (S.) (1.4.2004) by The Primary Medical Services (Scotland) Act 2004 (Modification of Enactments) Order 2004 (S.S.I. 2004/167), art. 2, Sch. para. 3(5)(a)
- F5** S. 11: definition of “general practitioner” repealed (E.W.) (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 184, 196, 199, Sch. 11 para. 57(5)(b), Sch. 14 Pt. 4; S.I. 2004/288, arts. {5(1)(2)(v)}, {6(2)(j)} (as amended by S.I. 2004/866, art. 2); S.I. 2004/480, arts. {4(2)(z)}, {5(2)(j)} (as amended by S.I. 2004/1019, art. 2); and omitted (S.) (1.4.2004) by virtue of The Primary Medical Services (Scotland) Act 2004 (Modification of Enactments) Order 2004 (S.S.I. 2004/167), art. 2, Sch. para. 3(5)(b)
- F6** S. 11: definition of “Health Authority” repealed (E.W.) (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 6, 8, Sch. 1 para. 136(b), Sch. 4 (with Sch. 2 Pt. 1, Sch. 3 Pt. 1)
- F7** Definition of “Health Authority” inserted (28.6.1995) by 1995 c. 17, s. 2(1), Sch. 1 Pt. III para. 119(4)(a) (with Sch. 2 paras. 6, 16)
- F8** Para. (a) in definition of “health service body” substituted (28.6.1995) by 1995 c. 17, s. 2(1), Sch. 1 Pt. III para. 119(4)(b) (with Sch. 2 paras. 6, 16)
- F9** S. 11: words in para. (a) of definition of “health service body” substituted (1.10.2002) by S.I. 2002/2469, reg. 4, Sch. 1 Pt. 1 para. 17(a)
- F10** Words in s. 11 omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 5 para. 64(a)(i); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F11** Words in the definition of “health service body” in s. 11 substituted (E.W.) (8.2.2000) by S.I. 2000/90, art. 3(1), Sch. 1 para. 25(a)
- F12** S. 11: words in definition of “health service body” inserted (1.4.2007) by The References to Health Authorities Order 2007 (S.I. 2007/961), art. 3, Sch. para. 21(2)(a)
- F13** Words in s. 11 substituted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), Sch. 5 para. 64(a)(ii); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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- F14** Words in s. 11 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 64(a)(iii)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F15** S. 11: definition of "health service body" para. (c) repealed (S.) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp. 13\)](#), ss. 331(2)(3), 333(2)-(4), **Sch. 5 Pt. 1**; S.S.I. 2005/161, **art. 3** (as amended by S.S.I. 2005/375, art. 2)
- F16** Word in s. 11 repealed (E.W.) (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 196, 199, Sch. 4 para. 88, **Sch. 14 Pt. 1**; S.I. 2004/759, **art. 2**; S.I. 2004/288, **art. 6(2)(j)** (as amended by S.I. 2004/866, art. 2); S.I. 2004/480, **art. 5(2)(z)** (as amended by S.I. 2004/1019, art. 2)
- F17** In s. 11 words in definition of "health service body" para. (d) inserted (E.W.) (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8, **Sch. 1 para. 136(c)** (with Sch. 3 Pt. 1)
- F18** S. 11: definition of "health service body" para. (e) inserted (E.W.) (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 199, **Sch. 4 para. 88**; S.I. 2004/759, **art. 2**
- F19** Words in s. 11 substituted (1.2.2023) by [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), reg. 1(2), **Sch. para. 6** (with reg. 3)
- F20** S. 11: definition of "Local Health Board" inserted (1.4.2007) by [The References to Health Authorities Order 2007 \(S.I. 2007/961\)](#), art. 3, **Sch. para. 21(2)(b)**
- F21** Definition of "Primary Care Trust" in s. 11 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 64(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F22** Definition of "Special Health Authority" inserted (28.6.1995) by [1995 c. 17](#), s. 2(1), **Sch. 1 Pt. III para. 119(4)(c)** (with Sch. 2, paras. 6, 16)
- F23** In s. 11 words in definition of "Special Health Authority" substituted (E.W.) (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8, **Sch. 1 para. 136(e)** (with Sch. 3 Pt. 1)
- F24** Definition of "Strategic Health Authority" in s. 11 omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), **Sch. 5 para. 64(c)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)

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#### Marginal Citations

- M1** 1984 c. 36.  
**M2** 1990 c. 19.

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**Changes and effects yet to be applied to :**

- s. 11 words omitted by [2012 c. 7 Sch. 14 para. 55](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2)(aza) inserted by [2022 c. 31 Sch. 3 para. 44\(b\)](#)
- s. 3(1)(g) inserted by [2009 c. 25 Sch. 21 para. 29\(2\)](#)