Health Service Commissioners Act 1993

1993 CHAPTER 46

Matters excluded from investigation

6 General health services and service committees.

[F1](1) . . . . . .

[F1](2) . . . . . .

(3) **[**[F2]The Commissioner**]** shall not conduct an investigation in respect of action taken by a Primary Care Trust [F3]... in the exercise of its functions under the [M1]National Health Service (Service Committees and Tribunal) Regulations 1992, or any instrument amending or replacing those regulations.

(4) A Commissioner shall not conduct an investigation in respect of action taken by a Health Board in the exercise of its functions under the [M2]National Health Service (Service Committees and Tribunal) (Scotland) Regulations 1992, or any instrument amending or replacing those regulations.

[[F4](5) **[**[F2]The Commissioner**]** shall not conduct an investigation in respect of action taken by a Primary Care Trust [F3]... in the exercise of its functions under regulations made under section [F5]... **[**[F6]126 or 129 of the National Health Service Act 2006**]** by virtue of section 17 of the [M3]Health and Medicines Act 1988 (investigations of matters relating to services).

(6) A Commissioner shall not conduct an investigation in respect of action taken by a Health Board in the exercise of its functions under regulations made under section 19, 25(2), 26(2) or 27(2) of the [M4]National Health Service (Scotland) Act 1978 by virtue of section 17 of the [M5]Health and Medicines Act 1988.**]**

Textual Amendments

F1 S. 6(1)(2) repealed (1.4.1996) by 1996 c. 5, ss. 7(2), 13, **Sch. 2**; S.I. 1996/970, **art. 2(1)**

F2 Words in s. 6(3)(5) substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, **Sch. 6 para. 37(a)** (with s. 38); S.I. 2005/2800, art. 5(1)(3); S.I. 2005/2800, art. 5(1)(3)

Changes to legislation: *Health Service Commissioners Act 1993, Section 6 is up to date with all changes known to be in force on or before 22 June 2024. 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. (See end of Document for details) View outstanding changes*

F3 Words in s. 6(3)(5) repealed (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 6 para. 37(b), **Sch. 7** (with s. 38); S.I. 2005/2800, art. 5(1)(3); S.I. 2005/2800, art. 5(1)(3)

F4 S. 6(5)(6) inserted (1.4.1996) by 1996 c. 5, **s. 7(3)**; S.I. 1996/970, **art. 2(1)**

F5 Words in s. 6(5) repealed (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), s. 199(1)(4), Sch. 11 para. 63(a), **Sch. 14 Pt. 4**; S.I. 2004/288, arts. 5(2)(w), 6(2)(l) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, arts. 4(2)(aa), 5(2)(l) (with art. 6) (as amended by S.I. 2004/1019 and S.I. 2006/345); S.I. 2004/288, arts. 5(2)(w), 6(2)(l) (with art. 7) (as amended by S.I. 2004/866 and S.I. 2005/2925); S.I. 2004/480, arts. 4(2)(aa), 5(2)(l) (with art. 6) (as amended by S.I. 2004/1019 and S.I. 2006/345)

F6 Words in s. 6(5) substituted (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 1 para. 167** (with Sch. 3 Pt. 1)

Modifications etc. (not altering text)

C1 S. 6(5) savings for effects of 2003 c. 43, Sch. 11 para. 62-68 (E.S.) (1.4.2004) by The General Medical Services and Personal Medical Services Transitional and Consequential Provisions Order 2004 (S.I. 2004/865), arts. 1(1), **113** (with art. 1(3))

Marginal Citations

M1 S.I. 1992/664.

M2 S.I. 1992/434.

M3 1988 c. 49.

M4 1978 c. 29.

M5 1988 c. 49.

Changes to legislation:
Health Service Commissioners Act 1993, Section 6 is up to date with all changes known to be in force on or before 22 June 2024. 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 :

– s. 6(5) words repealed by 2006 c. 28 Sch. 8 para. 34Sch. 9

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. 3(1F) inserted by 2006 c. 44 s. 15(2)
– s. 7(2)(d) and word inserted by 2006 c. 44 s. 15(4)(b)
– s. 14(2G)(2H) inserted by 2006 c. 44 s. 15(7)
– s. 14(2G)(c) word inserted by 2012 c. 7 Sch. 5 para. 70(6)(a)
– s. 14(2G)(e) and word omitted by 2012 c. 7 Sch. 5 para. 70(6)(b)