

## SCHEDULES

### SCHEDULE 1

#### PROVIDERS OF SERVICES

##### *Investigations*

- 3 (1) Section 11 (procedure in respect of investigations) shall be amended as follows.
- (2) In subsection (1) for “this Act” there shall be substituted “section 3(1)”.
- (3) After subsection (1) there shall be inserted—
- “(1A) Where a Commissioner proposes to conduct an investigation pursuant to a complaint under section 3(1A), he shall afford—
- (a) to the family health service provider, and
- (b) to any person by reference to whose action the complaint is made (if different from the family health service provider),
- an opportunity to comment on any allegations contained in the complaint.
- (1B) Where a Commissioner proposes to conduct an investigation pursuant to a complaint under section 3(1C), he shall afford—
- (a) to the independent provider concerned, and
- (b) to any other person who is alleged in the complaint to have taken or authorised the action complained of,
- an opportunity to comment on any allegations contained in the complaint.”
- (4) In subsection (5) after the word “investigation” (where it first appears) there shall be inserted “pursuant to a complaint under section 3(1)”.
- (5) After subsection (5) there shall be inserted—
- “(5A) The conduct of an investigation pursuant to a complaint under section 3(1A) or (1C) shall not affect any action taken by the family health service provider or independent provider concerned, or any power or duty of that provider to take further action with respect to any matters subject to the investigation.”
- 4 (1) Section 12 (evidence) shall be amended as follows.
- (2) In subsection (1) after the word “investigation” (where it first appears) there shall be inserted “pursuant to a complaint under section 3(1)”.
- (3) After subsection (1) there shall be inserted—
- “(1A) For the purposes of an investigation pursuant to a complaint under section 3(1A) or (1C) a Commissioner may require any person who in his opinion is able to supply information or produce documents relevant to the investigation to supply any such information or produce any such document.”