
STATUTORY INSTRUMENTS

1996 No. 709

**The Health Authorities Act 1995
(Transitional Provisions) Order 1996**

Investigation of complaints by Health Service Commissioners.

9.—(1) A complaint made to the Health Service Commissioner for England or Wales under the 1993 Act—

- (a) in relation to an old authority; or
- (b) which is, by virtue of any enactment in force on 31st March 1996, to be treated as if it had been made in relation to an old authority,

whether made before, on or after 1st April 1996, may, notwithstanding the abolition of that Authority, be investigated by that Commissioner, as if the complaint had been made in relation to the relevant new authority.

(2) A complaint made to the Health Service Commissioner for England under the 1993 Act—

- (a) in relation to any Regional Health Authority, or
- (b) which is, by virtue of any enactment in force on 31st March 1996, to be treated as if it had been made in relation to any Regional Health Authority,

whether made before, on or after 1st April 1996, may, notwithstanding the abolition of that Authority, be investigated by that Commissioner in accordance with that Act as modified by paragraph (3).

(3) For the purpose of the investigation of a complaint to which paragraph (2) applies, the 1993 Act shall be modified as follows:—

- (a) in section 11 (procedure in respect of investigations)—
 - (i) in subsection (1)(a), for “health service body concerned” substitute “Secretary of State”; and
 - (ii) in subsection (5), for “the health service body concerned” and “that body” substitute (in each case) “the Secretary of State”;
- (b) in section 12 (evidence), in subsection (1), for the words from “or member” to “concerned” substitute “of the Secretary of State”; and
- (c) in section 14 (reports by Commissioners), omit subsection (1)(c).