



2001 CHAPTER 3

PART III

HEALTH AND PERSONAL SOCIAL SERVICES – GENERAL

*Miscellaneous*

**Disclosure of information by the Commissioner for Complaints**

**50.** In Article 21 of the [Commissioner for Complaints \(Northern Ireland\) Order 1996 \(NI 7\)](#) (disclosure of information by Commissioner) paragraph (1A) shall be omitted and for paragraphs (1B) and (1C) there shall be substituted—

“(1B) Where information is to the effect that any person (“the subject”) is likely to constitute a threat to the health or safety of any other person (“the person at risk”), the Commissioner may disclose that information to any person to whom the Commissioner thinks it should be disclosed in the interests of the health or safety of the person at risk.

(1C) If the Commissioner discloses information as permitted by paragraph (1B) he shall—

- (a) where he knows the identity of the subject, inform the subject—
  - (i) that he has disclosed the information; and
  - (ii) of the identity of any person to whom he has disclosed it; and
- (b) inform the person from whom the information was obtained that he has disclosed it.”.

**Provision of information as to births and deaths**

**51.**—(1) The Registrar General of Births and Deaths in Northern Ireland may provide to the Department or the Agency any information to which this subsection applies.

(2) Any information provided under subsection (1) shall be provided in such form as appears to the Registrar General appropriate for the purpose of assisting the Department or the Agency in the performance of its functions in relation to health services.

(3) Subsection (1) applies to any information—

- (a) entered in any register kept under the [Births and Deaths Registration \(Northern Ireland\) Order 1976 \(NI 14\)](#); or
- (b) which is kept by the Registrar General under any other statutory provision and relates to any birth or death.

(4) The registrar of each district may furnish to a Health and Social Services Board the area of which includes the whole or part of the registrar's district such particulars of each birth and death which occurred in the Board's area as are entered in a register of births and deaths kept for that district.

(5) The Department may by regulations make provision as to the manner in which and the times at which particulars are to be furnished under subsection (4).

**Liability of officers of Health and Social Services Councils**

**52.** In Article 97(1) of the principal Order (protection for officers of health and social services bodies acting in execution of duty) after sub-paragraph (d) there shall be inserted—

“or

- (e) a Health and Social Services Council,”.

**Regulations under section 11 of the Medical Act 1983**

**53.** In section 11 of the Medical Act 1983 ([c. 54](#)) (supplementary provisions regarding experience required for full registration)—

- (a) in subsection (4) in the definition of “prescribed” for “Secretary of State” there shall be substituted “Department of Health, Social Services and Public Safety”;

(b) for subsection (7) there shall be substituted—

“(7) The power of the Department of Health, Social Services and Public Safety to make regulations under this section shall be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 and regulations made by that Department under this section shall be subject to negative resolution within the meaning of section 41(6)

of the Interpretation Act (Northern Ireland) 1954 as if they were statutory instruments within the meaning of that Act.”.

#### **Public access to meetings of certain bodies**

**54.**—(1) Sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 (c. 9) (which provide for public access to meetings of a district council and for the publication of information concerning such meetings) shall, with the modifications set out in subsection (2) apply in relation to meetings of—

- (a) a Health and Social Services Board;
- (b) the Agency;
- (c) a special agency;
- (d) an HSS trust;
- (e) a Health and Social Services Council; and
- (f) the Northern Ireland Social Care Council,

as they apply in relation to meetings of a district council.

(2) The modifications are—

- (a) any reference to a district council shall be read as a reference to a body mentioned in subsection (1); and
- (b) any reference to councillors or members of the council shall be read as a reference to members of such a body.

(3) At the end of paragraph 6 of Schedule 4 to the [Mental Health \(Northern Ireland\) Order 1986 \(NI 4\)](#) (proceedings of the Mental Health Commission for Northern Ireland) there shall be added—

“(3) Sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 (which provide for public access to meetings of a district council and for the publication of information concerning such meetings) shall, with the modifications set out in sub-paragraph (4), apply in relation to meetings of the Commission as they apply in relation to meetings of a district council.

(4) The modifications are—

- (a) any reference to a district council shall be read as a reference to the Commission; and
- (b) any reference to councillors or members of the council shall be read as a reference to members of the Commission.”.

#### **Sale of medical practices: goodwill**

**55.** For Schedule 10 to the principal Order there shall be substituted the Schedule set out in Schedule 3.