



2016 CHAPTER 12

Code of Practice

3.—(1) The Department must, as soon as reasonably practicable, prepare and publish a Code of Practice on the processing of information.

(2) The Department must review the Code of Practice at least once in every two year period starting with the date of publication of the first Code of Practice.

(3) The Department may revise the Code of Practice whenever it considers it appropriate to do so.

(4) Health and social care bodies must have due regard to the Code of Practice in exercising their functions in relation to the provision of health and social care.

(5) Any other person who provides health and social care under arrangements made with a public body who exercises functions in relation to the provision of health and social care, must, in providing such care, have due regard to the Code of Practice.

(6) Failure to observe any provision of the Code of Practice does not of itself make a person liable to any criminal or civil proceedings.

(7) A Code of Practice—

- (a) is admissible in evidence in criminal and civil proceedings; and
- (b) may be taken into account by a court or tribunal in any case in which it appears to the court or tribunal to be relevant.

(8) In this section “health and social care bodies” means the Department and any of the bodies established by section 1(5) of the Health and Social Care (Reform) Act (Northern Ireland) 2009.

Changes to legislation: *There are currently no known outstanding effects for the Health and Social Care (Control of Data Processing) Act (Northern Ireland) 2016, Section 3. (See end of Document for details)*

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Modifications etc. (not altering text)

- C1** S. 3(8) modified (1.4.2022) by Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(c), **Sch. 2 para. 9(b)**; S.R. 2022/102, art. 2(c)

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