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## STATUTORY INSTRUMENTS

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# 1991 No. 1707

## The Access to Personal Files and Medical Reports (Northern Ireland) Order 1991

### PART III

#### ACCESS TO MEDICAL REPORTS

##### **Access to medical reports before they are supplied**

**9.**—(1) An individual who gives his consent under Article 8 to the making of an application shall be entitled, when giving his consent, to state that he wishes to have access to the report to be supplied in response to the application before it is so supplied; and, if he does so, the applicant shall—

- (a) notify the medical practitioner of that fact at the time when the application is made, and
- (b) at the same time notify the individual of the making of the application;

and each such notification shall contain a statement of the effect of paragraph (2).

(2) Where a medical practitioner is notified by the applicant under paragraph (1) that the individual in question wishes to have access to the report before it is supplied, the practitioner shall not supply the report unless—

- (a) he has given the individual access to it and any requirements of Article 10 have been complied with; or
- (b) the period of 21 days beginning with the date of the making of the application has elapsed without his having received any communication from the individual concerning arrangements for the individual to have access to it.

(3) Where a medical practitioner—

- (a) receives an application for a medical report to be supplied for employment or insurance purposes without being notified by the applicant as mentioned in paragraph (1); but
- (b) before supplying the report receives a notification from the individual that he wishes to have access to the report before it is supplied,

the practitioner shall not supply the report unless—

- (i) he has given the individual access to it and any requirements of Article 10 have been complied with; or
- (ii) the period of 21 days beginning with the date of that notification has elapsed without his having received (either with that notification or otherwise) any communication from the individual concerning arrangements for the individual to have access to it.

(4) References in this Article and Article 10 to giving an individual access to a medical report are references to—

- (a) making the report or a copy of it available for his inspection; or
- (b) supplying him with a copy of it;

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**Changes to legislation:** *The Access to Personal Files and Medical Reports (Northern Ireland) Order 1991, Section 9 is up to date with all changes known to be in force on or before 09 May 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](#)*

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and where a copy is supplied at the request, or otherwise with the consent, of the individual the practitioner may charge a reasonable fee to cover the costs of supplying it.

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**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 29 s.74\(1\)Sch.15 para.14](#)
- Instrument rev. in pt. (prosp.) by [1998 c. 29 s.74\(2\)Sch.16 Pt.II](#)