
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

**The Healthcare Improvement Scotland
(Inspections) Regulations 2011**

Power to require information

5.—(1) Subject to paragraph (4), if an authorised person considers it necessary or expedient for the purposes of an inspection the authorised person may—

- (a) inspect, remove from the premises and take copies of any information; or
- (b) request delivery of any information and make copies of that information,

if the information relates to the provision of an independent health care service.

(2) The power in paragraph (1) includes—

- (a) power to require any person holding or accountable for information to produce it; and
- (b) in relation to electronically stored information, power to require the information to be produced in a form which is acceptable to the authorised person and can be removed from the premises.

(3) When inspecting information under paragraph (1) an authorised person is entitled to have access to any computer and associated apparatus or material which is or has been used in connection with that information.

(4) Nothing in this regulation allows an authorised person to inspect medical records unless that person is a health professional.

(5) For the purposes of this regulation a “health professional” means—

- (a) a medical practitioner;
- (b) a registered nurse;
- (c) a pharmacist; or
- (d) a registered dentist.