



Health Services Act 1976

1976 CHAPTER 83

PART III

CONTROL OF HOSPITAL BUILDING OUTSIDE NATIONAL HEALTH SERVICE, ETC.

16 Regulations in connection with provisions of Part III.

- (1) The Secretary of State may by regulations make provision—
- (a) as to the manner and form in which any application for an authorisation is to be made to [^{F1}the Secretary of State] ;
 - (b) as to the manner in which any notice under section 14 above is to be given to [^{F1}the Secretary of State], and as to the form in which any acknowledgment under subsection (3) of that section is to be issued by [^{F1}the Secretary of State] ;
 - (c) for requiring such reasonable fees as may, with the consent of the Treasury, be prescribed to be paid in connection with any application for an authorisation;
 - [^{F2}(d) for enabling the Secretary of State to require such person or persons as he may appoint to afford the applicant for an authorisation a hearing and to report thereon to the Secretary of State;
 - (e) for determining the locality of, and entitling persons other than the applicant to appear and be heard at, such a hearing;]
 - (f) as to the time to be allowed on any such application for the production of evidence or the taking of any prescribed steps for the purposes of such a hearing;
 - (g) for requiring persons to attend and give evidence or produce documents at such hearings, and for authorising the administration of oaths to persons so attending;
 - (h) for enabling any person entitled to appear otherwise than as a witness at any such hearing to be represented by another person, whether professionally qualified or not;
 - (i) for prescribing anything which under this Part of this Act is required or authorised to be prescribed.

(2) ^{F3}

Changes to legislation: There are currently no known outstanding effects for the Health Services Act 1976, Section 16. (See end of Document for details)

- (3) Regulations under subsection (1) above may, for the purpose of securing compliance with requirements imposed by virtue of any provisions included in the regulations by virtue of paragraph (g) of that subsection, provide that a person who without reasonable excuse fails to comply with such a requirement shall be liable on summary conviction to a fine not exceeding such amount not greater than £100 as may be prescribed.
- (4) The Secretary of State may by regulations provide for the appointment by him of inspectors to act, [^{F4}under his direction], for the purposes of this Part of this Act, except so far as it relates to notifiable works [^{F5}or a notifiable change], and for conferring on such inspectors such powers (including powers of entry and inspection) as the Secretary of State considers necessary for those purposes.
- (5) Any powers conferred on inspectors by regulations made in pursuance of subsection (4) above shall, to the extent that the regulations so provide, be exercisable in relation to—
- (a) premises or land owned by, but not occupied by or for the purposes of, the Crown;
 - (b) works on such land which have been or are being executed otherwise than by or on behalf of the Crown or for the purposes of a visiting force.

Textual Amendments

- F1** Words substituted by [Health Services Act 1980 \(c. 53\)](#), [Sch. 2 para. 1](#)
- F2** [S. 16\(1\)\(d\)\(e\)](#) substituted by [Health Services Act 1980 \(c. 53\)](#), [Sch. 2 para. 4\(a\)](#)
- F3** [Ss. 3, 6, 14\(5\), 16\(2\)](#) and [Sch. 2](#) repealed by [Health Services Act 1980 \(c. 53\)](#), [Sch. 7](#)
- F4** Words substituted by [Health Services Act 1980 \(c. 53\)](#), [Sch. 2 para. 4\(c\)](#)
- F5** Words inserted by [Health Services Act 1980 \(c. 53\)](#), [Sch. 3 para. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Health Services Act 1976, Section 16.