



Access to Medical Reports Act 1988

1988 CHAPTER 28

2 Interpretation.

(1) In this Act—

“the applicant” means the person referred to in section 3(1) below;

“care” includes examination, investigation or diagnosis for the purposes of, or in connection with, any form of medical treatment;

“employment purposes”, in the case of any individual, means the purposes in relation to the individual of any person by whom he is or has been, or is seeking to be, employed (whether under a contract of service or otherwise);

[^{F1}“health professional” has the same meaning as in the Data Protection Act 2018 (see section 204 of that Act);]

[^{F2}“insurance purposes”, in a case of any individual who has entered into, or is seeking to enter into, a contract of insurance with an insurer, means the purposes of that insurer in relation to that individual;

“insurer” means—

(a) a person who has permission under [^{F3}Part 4A] of the Financial Services and Markets Act 2000 to effect or carry out contracts of insurance;

[^{F4}(b)]

“medical practitioner” means a person registered under the ^{M1}Medical Act 1983;

“medical report”, in the case of an individual, means a report relating to the physical or mental health of the individual prepared by a medical practitioner who is or has been responsible for the clinical care of the individual.

[^{F5}(1A) The definitions of “insurance purposes” and “insurer” in subsection (1) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.]

(2) Any reference in this Act to the supply of a medical report for employment or insurance purposes shall be construed—

Changes to legislation: There are currently no known outstanding effects for the Access to Medical Reports Act 1988, Section 2. (See end of Document for details)

- (a) as a reference to the supply of such a report for employment or insurance purposes which are purposes of the person who is seeking to be supplied with it; or
- (b) (in the case of a report that has already been supplied) as a reference to the supply of such a report for employment or insurance purposes which, at the time of its being supplied, were purposes of the person to whom it was supplied.

Textual Amendments

- F1** Words in s. 2(1) substituted (25.5.2018) by [Data Protection Act 2018 \(c. 12\), s. 212\(1\), Sch. 19 para. 34](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625, reg. 2\(1\)\(g\)](#)
- F2** Definitions of "insurance purposes" and "insurer" in s. 2(1) substituted (1.12.2001) for definition of "insurance purposes" by [S.I. 2001/3649, arts. 1, 311\(2\)](#)
- F3** Words in s. 2(1) substituted (1.4.2013) by [Financial Services Act 2012 \(c. 21\), s. 122\(3\), Sch. 18 para. 59](#) (with [Sch. 20](#)); [S.I. 2013/423, Sch.](#)
- F4** Words in s. 2(1) omitted (31.12.2020) by virtue of [The EEA Passport Rights \(Amendment, etc., and Transitional Provisions\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1149\), reg. 1\(3\), Sch. para. 30](#) (with [reg. 4](#)); [2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F5** S. 2(1A) inserted (1.12.2001) by [S.I. 2001/3649, arts. 1, 311\(3\)](#)

Modifications etc. (not altering text)

- C1** S. 2(1) amended (9.5.1998) by [1993 c. 21, ss. 38\(4\)\(5\)](#); [S.I. 1998/1138, art. 2\(e\)\(viii\)](#) (which s. 38 of the 1993 Act was repealed (1.3.2000) by [1998 c. 29, s. 74\(2\), Sch. 16 Pt. I](#); [S.I. 2000/183, art. 2\(1\)](#))
- C2** S. 2(1) amended (*prosp.*) by [1994 c. 17, ss. 38\(5\)\(6\), 44\(3\)](#) (which s. 38 of the 1994 Act was repealed (1.3.2000) by [1998 c. 29, s. 74\(2\), Sch. 16 Pt. I](#); [S.I. 2000/183, art. 2\(1\)](#))

Marginal Citations

- M1** [1983 c. 54.](#)

Changes to legislation:

There are currently no known outstanding effects for the Access to Medical Reports Act 1988, Section 2.