



Health Service Commissioners Act 1993

1993 CHAPTER 46

Investigations

11 Procedure in respect of investigations

- (1) Where a Commissioner proposes to conduct an investigation pursuant to a complaint under this Act, he shall afford—
 - (a) to the health service body concerned, and
 - (b) to any other person who is alleged in the complaint to have taken or authorised the action complained of,an opportunity to comment on any allegations contained in the complaint.
- (2) An investigation shall be conducted in private.
- (3) In other respects, the procedure for conducting an investigation shall be such as the Commissioner considers appropriate in the circumstances of the case, and in particular—
 - (a) he may obtain information from such persons and in such manner, and make such inquiries, as he thinks fit, and
 - (b) he may determine whether any person may be represented, by counsel or solicitor or otherwise, in the investigation.
- (4) A Commissioner may, if he thinks fit, pay to the person by whom the complaint was made and to any other person who attends or supplies information for the purposes of an investigation—
 - (a) sums in respect of expenses properly incurred by them, and
 - (b) allowances by way of compensation for the loss of their time.Payments under this subsection shall be in accordance with such scales and subject to such conditions as may be determined by the Treasury.
- (5) The conduct of an investigation shall not affect any action taken by the health service body concerned, or any power or duty of that body to take further action with respect to any matters subject to the investigation.

Status: This is the original version (as it was originally enacted).

- (6) Where the person aggrieved has been removed from the United Kingdom under any order in force under the Immigration Act 1971 he shall, if the Commissioner so directs, be permitted to re-enter and remain in the United Kingdom, subject to such conditions as the Secretary of State may direct, for the purposes of the investigation.