



Health Service Commissioners (Amendment) Act 1996

1996 CHAPTER 5

Other matters

11 Information.

- (1) Section 15 of the 1993 Act (information) shall be amended as follows.
- (2) In subsection (1) (information not to be disclosed except for certain purposes) the word “or” at the end of paragraph (c) shall be omitted and after paragraph (d) there shall be inserted “or
 - (e) as permitted by subsection (1B).”
- (3) After subsection (1) there shall be inserted—
 - “(1A) Subsection (1B) applies where, in the course of an investigation, a Commissioner or any of his officers obtains information which—
 - (a) does not fall to be disclosed for the purposes of the investigation or any report to be made in respect of it, and
 - (b) is to the effect that a person is likely to constitute a threat to the health or safety of patients.
 - (1B) In such a case the Commissioner may disclose the information to any persons to whom he thinks it should be disclosed in the interests of the health and safety of patients; and a person to whom disclosure may be made may, for instance, be a body which regulates the profession to which the person mentioned in subsection (1A)(b) belongs or his employer or any person with whom he has made arrangements to provide services.
 - (1C) If a Commissioner discloses information as permitted by subsection (1B) he shall—
 - (a) inform the person mentioned in subsection (1A)(b) that he has disclosed it, and
 - (b) inform him of the identity of any person to whom he has disclosed it.”

Changes to legislation: There are currently no known outstanding effects for the Health Service Commissioners (Amendment) Act 1996, Section 11. (See end of Document for details)

- (4) In subsection (2) (neither a Commissioner nor his officers to be called on to give evidence) after “nor his officers” there shall be inserted “nor his advisers”.
- (5) After subsection (2) there shall be inserted—
- “(3) The reference in subsection (2) to a Commissioner’s advisers is a reference to persons from whom the Commissioner obtains advice under paragraph 13 of Schedule 1.”

Changes to legislation:

There are currently no known outstanding effects for the Health Service Commissioners (Amendment) Act 1996, Section 11.