



Health and Care Act 2022

2022 CHAPTER 31

PART 4

THE HEALTH SERVICES SAFETY INVESTIGATIONS BODY

Investigatory powers etc

PROSPECTIVE

121 Offences relating to investigations

- (1) A person commits an offence if the person—
 - (a) intentionally obstructs an investigator in the performance of functions conferred by section 118, or
 - (b) fails without reasonable excuse to comply with a notice given under section 119.
- (2) A person commits an offence if the person provides information to the HSSIB for the purposes of the HSSIB's investigation function which the person knows or suspects is false or misleading in a material respect.
- (3) It is a defence for a person charged with an offence under subsection (2) to show that—
 - (a) the person reasonably believed that the information would assist the HSSIB in carrying out its investigation function, and
 - (b) at the time of providing the information the person informed the HSSIB that the person knew or suspected that it was false or misleading.
- (4) If a person charged with an offence under subsection (2) relies on the defence under subsection (3), and evidence is adduced which is sufficient to raise an issue with respect to that defence, the court must assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Health and Care Act 2022, Section 121. (See end of Document for details)

- (5) A person who commits an offence under this section is liable on summary conviction to a fine.
- (6) Subsections (1)(a) and (5) apply to persons in the public service of the Crown as they apply to other persons.

Commencement Information

- II** S. 121 not in force at Royal Assent, see s. 186(6)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Health and Care Act 2022, Section 121.