



# Health Service Commissioners Act 1993

## 1993 CHAPTER 46

### *Matters subject to investigation*

#### **3 General remit of Commissioners**

- (1) On a complaint duly made to a Commissioner by or on behalf of a person that he has sustained injustice or hardship in consequence of—
  - (a) a failure in a service provided by a health service body,
  - (b) a failure of such a body to provide a service which it was a function of the body to provide, or
  - (c) maladministration connected with any other action taken by or on behalf of such a body,the Commissioner may, subject to the provisions of this Act, investigate the alleged failure or other action.
- (2) In determining whether to initiate, continue or discontinue an investigation under this Act, a Commissioner shall act in accordance with his own discretion.
- (3) Any question whether a complaint is duly made to a Commissioner shall be determined by him.
- (4) Nothing in this Act authorises or requires a Commissioner to question the merits of a decision taken without maladministration by a health service body in the exercise of a discretion vested in that body.