
STATUTORY INSTRUMENTS

1972 No. 1265

**Health and Personal Social Services
(Northern Ireland) Order 1972**

PART XI

FINANCIAL PROVISIONS

[^{F1}Studies for improving economy, etc. in services

92B.—(1) The Department may[^{F2} authorise any person] to undertake comparative or other studies to promote economy, efficiency and effectiveness in the provision of services by a body to which this Article applies.

(2) The Department shall—

- (a) consult with the Comptroller and Auditor General for Northern Ireland on the nature and scope of studies to be undertaken under this Article; and
- (b) on request, furnish to the Comptroller and Auditor General for Northern Ireland all material relevant to any studies undertaken under this Article.

(3) This Article applies to—

[^{F3}(a) ^{F4}.....

- (aa) the Regional Agency;
- (b) RBSO;]
- (c) special agencies;
- (d) [^{F5}HSC trusts];

Sub#para. (e) rep. by 2001 c. 3 (NI)

(f) the trustees for an [^{F5}HSC trust] appointed in pursuance of Article 16 of the 1991 Order.

(4) Paragraphs (5) to (8) apply to[^{F2} a person authorised under paragraph (1) ("the authorised person")] in undertaking any studies under this Article.

(5) The[^{F2} authorised person] shall be entitled—

- (a) to require access at all reasonable times to all such documents relating to a body to which this Article applies as appear to him necessary for the purposes of the studies;
- (b) to require from any person holding or accountable for any such document such information and explanation as he thinks necessary for the purposes of the studies;
- (c) without prejudice to sub-paragraph (b), to require any officer or member of a body to which this Article applies to give him such information or explanation as he thinks necessary for the purposes of the studies;
- (d) to require any such person as is mentioned in sub-paragraph (b) or (c) to attend before him in person to give any such information or explanation as is so mentioned.

Para. (6) rep. by 2001 c. 3 (NI)

Changes to legislation: *Health and Personal Social Services (Northern Ireland) Order 1972, Section 92B is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(7) Without prejudice to paragraph (5), a body to which this Article applies shall provide the^{F2} authorised person] with every facility and all information which he may reasonably require for the purposes of the studies.

(8) Any person who without reasonable excuse fails to comply with any requirement of the^{F2} authorised person] under paragraph (5) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale and if the failure continues after the conviction he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding one-tenth of level 3 on the standard scale for each day on which the failure continues.]

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| F1 | 1994 NI 2 |
| F2 | 2003 NI 5 |
| F3 | Art. 92B(3)(a)(aa)(b) substituted (1.4.2009) for art. 92B(3)(a)(b) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), Sch. 6 para. 3(42) ; S.R. 2009/114, art. 2 |
| F4 | Art. 92B(3)(a) omitted (1.4.2022) by virtue of Health and Social Care Act (Northern Ireland) 2022 (c. 3), s. 8(1)(b), Sch. 1 para. 46 ; S.R. 2022/102, art. 2(b) |
| F5 | Words in Order substituted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), s. 34(3), Sch. 6 para. 1(1)(d) ; S.R. 2009/114, art. 2 |

Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument amended by [1995 c. 51 s.4Sch. para.30](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 56(4C)(4D) substituted by [S.I. 2002/3135 Sch. 1 para. 16](#) (This amendment has not been applied as it has been superceded by the substitution of art. 56 by 2004/311 NI 2 art. 3)
- art. 61-61E and art. 61F and cross-heading substituted for art. 61 by [2008 c. 2 \(N.I.\) s. 2\(2\)](#) (This amending provision is itself amended (13.6.2016) before it comes into force by 2016 c. 26 (N.I.), ss. 9, 20(2))
- art. 98(3) added by [2008 c. 2 \(N.I.\) s. 4\(1\)](#)
- art. 107(1A) inserted by [2008 c. 2 \(N.I.\) s. 4\(4\)\(b\)](#)