



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART I

ORGANISATION

[^{F1}Inspections

VALID FROM 01/10/2010

[^{F1}100 Regulations relating to inspections

- (1) Regulations may make further provision concerning inspections under—
 - (a) section 10I;
 - (b) section 10J;
 - (c) section 10M.
- (2) Regulations under subsection (1) may make different provision for different inspections provided for under the provisions mentioned in that subsection.
- (3) Regulations under subsection (1) may, in particular, make provision—
 - (a) as to types of inspection which may be conducted;
 - (b) as to timing and frequency of inspections;
 - (c) as to seizure and removal of anything found during the course of an inspection;
 - (d) as to persons who may be authorised to carry out inspections;
 - (e) requiring or facilitating the sharing or production of information (including health records) for the purposes of an inspection;
 - (f) as to interviews and examinations (including physical and mental examinations) which may be carried out in connection with the inspections;

Status: Point in time view as at 27/09/2005. This version of this provision is not valid for this point in time.

Changes to legislation: National Health Service (Scotland) Act 1978, Section 100 is up to date with all changes known to be in force on or before 26 July 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)

- (g) requiring any person to provide to an authorised person an explanation of information produced to an authorised person;
 - (h) requiring information produced to an authorised person to be held in compliance with prescribed conditions and further disclosures to be made in compliance with such conditions;
 - (i) empowering an authorised person to disclose to a person prescribed for the purposes of this paragraph any information of a prescribed nature which the authorised person holds in consequence of an inspection;
 - (j) creating offences punishable on summary conviction by a fine not exceeding level 4 on the standard scale for the purpose of enforcing any provision of the regulations.
- (4) In subsection (3)(e), “health records” means records relating to the physical or mental health of an individual (including dental records and medical records); and for the purposes of this subsection “medical records” means records which have been prepared by a medical practitioner who is, or has been, responsible for the clinical care of the individual.]

Textual Amendments

F1 Ss. 10A-10Z19 and cross-headings inserted (1.8.2010 for the insertion of s. 10A for specified purposes, 1.10.2010 for specified purposes, 1.4.2011 for specified purposes, 1.4.2016 for specified purposes with the exception of the insertion of s. 10Z9(1)(a), 1.4.2017 for specified purposes, 19.6.2024 for specified purposes) by Public Services Reform (Scotland) Act 2010 (asp 8), **ss. 108, 134(7)**; S.S.I. 2010/221, art. 3(2)(3), **sch.**; S.S.I. 2010/321, art. 3, **sch.**; S.S.I. 2011/122, art. 2, **sch.**; S.S.I. 2016/22, art. 2(1)(2), sch. 1, **sch. 2**; S.S.I.2024/131, art. 2, **sch. 1**

Status:

Point in time view as at 27/09/2005. This version of this provision is not valid for this point in time.

Changes to legislation:

National Health Service (Scotland) Act 1978, Section 100 is up to date with all changes known to be in force on or before 26 July 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.