



Medical Act 1983

1983 CHAPTER 54

[^{F1}PART 5A

RESPONSIBLE OFFICERS

[^{F1}45A Requirement to nominate or appoint responsible officer

- (1) The appropriate authority may by regulations make provision for or in connection with requiring designated bodies to nominate or appoint persons who are to have such responsibilities as may be conferred on them by virtue of section 45B.
- (2) A person who is so nominated or appointed by a designated body is to be known as its responsible officer (but this is subject to any provision made by virtue of subsection (5) (e)).
- (3) In this Part “designated body” means—
 - (a) a body falling within any description of bodies prescribed for the purposes of this section, or
 - (b) any other body prescribed for those purposes.
- (4) The descriptions of bodies, or particular bodies, that may be so prescribed are descriptions of bodies, or particular bodies, appearing to the appropriate authority—
 - (a) to provide, or arrange for the provision of, health care, or
 - (b) to employ or contract with medical practitioners.
- (5) Regulations under this section may make provision—
 - (a) for conditions that must be satisfied in relation to a person if that person is to be nominated or appointed as, or remain as, a responsible officer of a designated body,
 - (b) authorising or requiring a designated body to nominate or appoint more than one responsible officer,
 - (c) for a single person to be nominated or appointed as the responsible officer for each of two or more designated bodies where those bodies are satisfied as to the prescribed matters,

Changes to legislation: Medical Act 1983, Section 45A is up to date with all changes known to be in force on or before 19 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) View outstanding changes

- (d) requiring a designated body that has a responsible officer to provide to the officer, or, if that designated body does not employ the officer, to the employer of the officer, funds and other resources necessary for enabling the officer to discharge the officer's prescribed responsibilities as a responsible officer for the designated body,
 - (e) for the persons nominated or appointed as mentioned in subsection (1) to be known by such name as is prescribed, and
 - (f) for making such amendments of any enactment as appear to the appropriate authority to be required in connection with any provision made by virtue of paragraph (e).
- (6) The conditions imposed under subsection (5)(a) may in particular include a requirement for the designated body to consult the General Council before nominating or appointing any person as a responsible officer for the body.
- (7) Regulations under this section may in prescribed cases provide that a responsible officer for a designated body is to be nominated by the appropriate authority instead of the designated body.
- (8) In this section—
- “enactment” includes any provision of, or any instrument made under, Northern Ireland legislation;
 - “health care” means services provided to individuals for or in connection with the prevention, diagnosis or treatment of illness;
 - “illness” has the same meaning as in section 25(1) of the Health Act 2006.]

Textual Amendments

F1 Pt. 5A inserted (21.7.2008 for specified purposes, 1.4.2010 for E.W.S.) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 119**, 170; S.I. 2010/708, art. 3(a)

Modifications etc. (not altering text)

C1 S. 45A(5)(d) applied (with modifications) (21.7.2008 for specified purposes, 1.4.2010 for E.W.) by [Health and Social Care Act 2008 \(c. 14\)](#), **ss. 120(5)**, 170 (with s. 122); S.I. 2010/708, art. 3(b)

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

- Act words substituted by [2005 c. 4 Sch. 11 para. 6](#)

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

- s. 29B(2A)-(2C) inserted by [S.I. 2008/3131 Sch. 1 para. 9\(2\)](#)
- s. 29B(2A)(a) word substituted by [S.I. 2010/234 Sch. 1 para. 2](#)
- s. 29B(3A) inserted by [S.I. 2008/3131 Sch. 1 para. 9\(3\)](#)
- s. 29E(1)(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 12\(2\)\(b\)](#)
- s. 29E(2)(e)(f) inserted by [S.I. 2008/3131 Sch. 1 para. 12\(3\)\(b\)](#)
- s. 29F(1)(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 14\(3\)](#)
- s. 35C(2)(f)(g) inserted by [S.I. 2008/1774 Sch. 1 para. 15](#) (This amendment not applied to legislation.gov.uk. It was due to come into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47), see art. 1(4). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 35ZA inserted by [2008 c. 14 Sch. 7 para. 4](#)
- Sch. 1 para. 1A(1)(b)(iv)(v) inserted by [S.I. 2024/374 Sch. 5 para. 1\(2\)\(b\)\(iii\)](#)
- Sch. 3B para. 5(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 19\(2\)\(b\)](#)
- Sch. 3B para. 6(1)(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 19\(3\)\(a\)\(ii\)](#)
- Sch. 3B para. 6(2)(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 19\(3\)\(b\)\(ii\)](#)
- Sch. 3B para. 7(1)(d)(e) inserted by [S.I. 2008/3131 Sch. 1 para. 19\(4\)\(a\)\(ii\)](#)
- Sch. 3B para. 7(2)(c) and word inserted by [S.I. 2008/3131 Sch. 1 para. 19\(4\)\(b\)\(ii\)](#)