



Health Service Joint Consultative Committees (Access to Information) Act 1986

1986 CHAPTER 24

An Act to provide for access by the public to meetings of, and to certain documents and information relating to, joint consultative committees and subcommittees constituted under section 22 of the National Health Service Act 1977. [26th June 1986]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows: —

1 Interpretation.

(1) In this Act—

"joint committee " means—

- (a) a joint consultative committee appointed pursuant to an order under section 22 of the National Health Service Act 1977 or deemed by virtue of such order to be so appointed, or
- (b) a sub-committee of such a committee, or
- (c) a joint sub-committee of two or more such committees; and

" local authority " means a county council, a district council, a London borough council, the Common Council of the City of London or the Inner London Education Authority.

(2) Any reference in this Act to a constituent authority shall be construed, in relation to a joint committee, as a reference to a District Health Authority, Family Practitioner Committee or local authority which—

- (a) if the committee in question is a joint consultative committee, is represented on that committee, or

- (b) if the committee in question is a sub-committee or joint sub-committee, is represented on the joint consultative committee, or (as the case may be) one of the joint consultative committees, that appointed that committee.

2 Access to meetings and documents of joint committees.

- (1) Sections 100A to 100D of the Local Government Act 1972 (access to meetings and documents of certain authorities) shall apply to a joint committee as they apply to a principal council (within the meaning of Part VA of that Act), but subject to the following modifications, namely—
 - (a) any reference to the offices of a principal council shall be construed as a reference to the offices of each of the constituent authorities;
 - (b) any reference to the proper officer in relation to a principal council shall be construed as a reference to the person appointed for the purpose by the joint committee; and
 - (c) in section 100A(6)(c) the reference to premises not belonging to a principal council shall be construed as a reference to premises not belonging to any of the constituent authorities nor vested in the Secretary of State.
- (2) In section 100H of that Act (supplemental provisions and offences)—
 - (a) any reference to any provision of Part VA of that Act or to any right conferred by Part VA includes a reference to any such provision as it applies to a joint committee by virtue of this section or to any right conferred by Part VA as it so applies (as the case may be);
 - (b) in subsection (3), as it so applies, the reference to a principal council shall be construed as a reference to a constituent authority; and
 - (c) subsection (5) shall apply to any meeting of a joint committee.
- (3) The power conferred on the Secretary of State by section 1001(2) of that Act to vary Schedule 12A to that Act (exempt information) shall include power to vary that Schedule as it applies in relation to a joint committee by virtue of this section.
- (4) In that Schedule, as it so applies—
 - (a) Part I shall have effect with the insertion after paragraph 6 of the following paragraphs—
 - “6A Information relating to the physical or mental health of any particular person.
 - 6B Information relating to—
 - (a) any particular person who is or was formerly included in a list of persons undertaking to provide services under Part II of the National Health Service Act 1977, or is an applicant for inclusion in such a list, or
 - (b) any particular employee of such a person.”;
 - (b) paragraph 1 of Part II shall have effect with the insertion after " paragraphs 1 to 5 " of " or 6B "; and
 - (c) any reference to " the authority " shall be construed as a reference to a constituent authority (and paragraph 1(2) of Part III shall accordingly not apply).

3 Access to information relating to members of joint committees etc.

- (1) A joint committee shall maintain a register containing the name and address of every member of the committee, and stating in the case of each member—
 - (a) the name and address of the constituent authority which he represents and whether he is or is not a member of that authority, or
 - (b) if he has been appointed by any voluntary organisations (within the meaning of the National Health Service Act 1977), that he has been so appointed.
- (2) A written summary of the rights—
 - (a) to attend meetings of a joint committee, and
 - (b) to inspect and copy, and to be furnished with, documents relating to a joint committee,which are for the time being conferred by virtue of section 2 of this Act shall be kept at the offices of each of the constituent authorities.
- (3) Any such register or summary as is mentioned in subsection (1) or (2) above shall be open to inspection by the public, at all reasonable hours and without payment, at the offices of each of the constituent authorities; and any of those authorities shall, at the request of any person, supply him with a copy of any such register or summary on payment of such reasonable fee as the authority may determine.

4 Short title, commencement and extent.

- (1) This Act shall be cited as the Health Service Joint Consultative Committees (Access to Information) Act 1986.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (3) Nothing in this Act applies in relation to any meeting of a joint committee held before the coming into force of this Act.
- (4) This Act extends to England and Wales only.