



Health Service Commissioners Act 1993

CHAPTER 46

HEALTH SERVICE COMMISSIONERS ACT 1993

Health Service Commissioner

- 1 The Commissioner.

Health service bodies subject to investigation

- 2 The bodies subject to investigation.

Persons subject to investigation

- 2A Health service providers subject to investigation.
- 2B Independent providers subject to investigation.

Matters subject to investigation

- 3 General remit of Commissioner.

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- 6 General health services and service committees.
- 7 Personnel, contracts etc.
- 7A Certain functions of Mental Welfare Commission for Scotland.

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- 8 Individuals and bodies entitled to complain.
- 9 Requirements to be complied with.
- 10 Referral of complaint by health service body.

Status: Point in time view as at 01/07/2012.

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Investigations

- 11 Procedure in respect of investigations.
- 12 Evidence.
- 13 Obstruction and contempt.

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- 14 Reports by the Commissioner.
- 14A Reports by Welsh Commissioner.
- 14B Action in response to reports by Welsh Commissioner.
- 14C Reports: supplementary.

Information and consultation

- 15 Confidentiality of information.
- 16 Information prejudicial to the safety of the State.
- 17 Use of information by Commissioner in other capacity.
- 18 Consultation during investigations.
- 18ZA Collaborative working between the Commissioner and other Commissioners
- 18A Disclosure of information to Information Commissioner.

Supplementary

- 19 Interpretation.
- 20 Consequential amendments and repeals.
- 21 Transitional provisions.
- 22 Short title, extent and commencement.

SCHEDULES

SCHEDULE 1 — The English ... Commissioner

Introductory

- A1 In this Schedule references to a Commissioner (or Health Service...

Appointment of Commissioner

- 1 Her Majesty may by Letters Patent appoint a person to...
- 1A Subject to paragraphs 1C and 1D a person appointed to...
- 1B That period must be not more than seven years.
- 1C A person appointed to be the Commissioner may be relieved...
- 1D A person appointed to be the Commissioner may be removed...
- 1E A person appointed to be the Commissioner is not eligible...

Appointment of acting Commissioner

- 2 (1) Where the office of Commissioner becomes vacant, Her Majesty...

Ineligibility of certain persons for appointment

- 3 (1) A person who is a member of a relevant...
- 3A (1) A person who is a relevant family health service...

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Salaries

- 4 (a) There shall be paid to the holder of the...
- 5 The salary payable to a holder of the office of...
- 6 (1) Where a person holds— (a) the office of Parliamentary...

Pensions and other benefits

- 7 Schedule 1 to the Parliamentary Commissioner Act 1967 (which relates...
- 8 In computing the salary of a former holder of the...
- 9 (1) In this paragraph, “relevant office” means the office of...
- 10 In any case where a person makes an election under...

Staff and advisers

- 11 (1) The Commissioner may appoint such officers as he may...
- 12 Any functions of the Commissioner under this Act may be...
- 12A For the purposes of conducting a joint investigation referred to...
- 13 (1) To assist him in any investigation the Commissioner may...

Financial provisions

- 14 The expenses of the Commissioner ... under this Act—
- 15 Any salary, pension or other benefit payable by virtue of...

SCHEDULE 1A — The Welsh Commissioner

Appointment

- 1 (1) The Health Service Commissioner for Wales shall be appointed...

Status

- 2 (1) The Health Service Commissioner for Wales shall be regarded...

Appointment of acting Commissioner

- 3 (1) Where the office of Health Service Commissioner for Wales...

Ineligibility of certain persons for appointment

- 4 (1) A person who is a member of a body...

Remuneration

- 5 (1) The Assembly shall— (a) pay the Health Service Commissioner...

Staff and advisers

- 6 (1) The Health Service Commissioner for Wales may appoint such...

Reports

- 7 (1) The Health Service Commissioner for Wales—

Expenses

- 8 (1) The expenses of the Health Service Commissioner for Wales...

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Estimates

- 9 (1) For each financial year after the first financial year...

Accounts

- 10 (1) The Health Service Commissioner for Wales shall keep proper...

Audit

- 11 (1) The accounts prepared by the Health Service Commissioner for...

Accounting officer

- 12 (1) The accounting officer for the Office of the Health...

Examinations into use of resources

- 13 (1) The Auditor General for Wales may carry out examinations...

Examinations by the Comptroller and Auditor General

- 14 (1) For the purpose of enabling him to carry out...

SCHEDULE 2 — Consequential amendments

The Parliamentary Commissioner Act 1967 (c.13)

- 1 In section 11A of the Parliamentary Commissioner Act 1967
(consultations...
2 In paragraph 8 of Schedule 3 to that Act (action...

The Local Government Act 1974 (c.7)

- 3 In section 29(5)(b) of the Local Government Act 1974 (restriction...
4 (1) Section 33 of that Act (consultation between Local
Commissioners,...

The Local Government (Scotland) Act 1975 (c.30)

- 5 In section 27(5)(b) of the Local Government (Scotland) Act 1975...
6 (1) Section 31 of that Act (consultation between Commissioner for...

The Hospital Complaints Procedure Act 1985 (c.42)

- 7 In section 1(2) of the Hospital Complaints Procedure Act 1985...

The Parliamentary and Health Service Commissioners Act 1987 (c.39)

- 8 In section 2(1) of the Parliamentary and Health Service
Commissioners...

SCHEDULE 3 — Repeals

— TABLE OF DERIVATIONS

- 1 Notes:
2 The following abbreviations are used in this Table: 1967 =...
3 The abbreviation “Law Comm R” followed by a number refers...

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4 Certain functions of the Minister for the Civil Service were...

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