

1977 No. 673

HEALTH SERVICES

The Health Services Board (Inspectors) Regulations 1977

<i>Made</i> - - - -	<i>7th April 1977</i>
<i>Laid before Parliament</i>	<i>20th April 1977</i>
<i>Coming into Operation</i>	<i>11th May 1977</i>

The Secretary of State for Social Services, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in exercise of powers conferred on them by section 16(4) and (5) of the Health Services Act 1976(a), and of all other powers enabling them in that behalf, and after consultation with the Health Services Board, bodies representative of medical and dental practitioners and other bodies representative of interests likely to be substantially affected by these regulations in accordance with section 22(2) of that Act, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Health Services Board (Inspectors) Regulations 1977 and shall come into operation on 11th May 1977.

Interpretation

2.—(1) In these regulations the following expressions have the respective meanings hereby assigned to them:—

“the Act” means the Health Services Act 1976;

“controlled premises” and

“controlled works” have the respective meanings assigned to them by section 12(2) of the Act;

“inspector” means any person appointed by the Secretary of State under regulation 3 of these regulations to exercise the powers conferred by regulation 4;

“visiting force” has the meaning assigned to it by section 20 of the Act.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(b) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

(a) 1976 c. 83.

(b) 1889 c. 63.

Appointment of inspectors

3.—(1) The Secretary of State may appoint such persons to act as inspectors for the purposes of Part III of the Act (except so far as it relates to notifiable works) as he may think fit.

(2) Any inspectors appointed under this regulation shall act under the direction of the Health Services Board.

Powers of entry and inspection

4. An inspector may at any reasonable time on producing, if asked to do so, written evidence of his appointment:—

- (a) enter and inspect any premises to which these regulations apply;
- (b) without prejudice to the preceding paragraph, inspect any works to which these regulations apply, and for that purpose enter on any land on which any such works have been or are being executed;
- (c) require any person having control of any premises, works or land which he is authorised to inspect or enter by virtue of paragraph (a) or (b) of this regulation to give him such assistance and afford him such facilities as he may reasonably ask for in connection with the powers conferred on him in relation to the premises, works or land by either of those paragraphs;
- (d) require any person to produce and permit him to inspect any documents in that person's possession or control which relate to any works to which these regulations apply.

Premises and works to which powers of entry and inspection apply

5. The powers of entry and inspection conferred on inspectors by regulation 4 apply to the following—

- (a) controlled works, and
 - (b) controlled premises,
- including premises or land owned by, but not occupied by or for the purposes of, the Crown and works on such land which have been or are being executed otherwise than by or on behalf of the Crown or for the purpose of a visiting force.

David Ennals,
Secretary of State for Social Services.

4th April 1977.

John Morris,
Secretary of State for Wales.

5th April 1977.

Bruce Millan,
Secretary of State for Scotland.

7th April 1977.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations deal with the appointment and powers of entry and inspection granted to inspectors appointed for the purpose of Part III of the Health Services Act 1976.

Regulation 3 provides for the appointment by the Secretary of State of inspectors to act under the direction of the Health Services Board. Regulation 4 prescribes the powers of entry and inspection granted to inspectors, and regulation 5 lists the premises and works which are subject to the rights of entry and inspection prescribed in regulation 4.

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