
STATUTORY INSTRUMENTS

1991 No. 1587

RIGHTS OF THE SUBJECT

The Access to Personal Files (Social Services) (Amendment) Regulations 1991

Made - - - - *9th July 1991*
Coming into force - - *1st August 1991*

Whereas a draft of this instrument was laid before Parliament in accordance with section 3(5) of the Access to Personal Files Act 1987(1) and approved by resolution of each House of Parliament:

Now, therefore in exercise of the powers conferred by section 3 of the Access to Personal Files Act 1987(2), after consultation in accordance with section 3(4) of that Act with such bodies representing local social services authorities(3) as thought appropriate, I hereby make the following Regulations:—

Citation, commencement and extent

1. –

(1) These Regulations may be cited as the Access to Personal Files (Social Services) (Amendment) Regulations 1991 and shall come into force on 1st August 1991.

(2) These Regulations apply to England and Wales.

Amendment of the Access to Personal Files (Social Services) Regulations 1989

2. –

(1) The Access to Personal Files (Social Services) Regulations 1989(4) shall be amended in accordance with the following paragraphs of this regulation.

(2) In regulation 1(2) (citation, commencement, interpretation and extent) there shall be inserted at the end the words—

““National Health Service trust” has the meaning assigned by section 5 of the National Health Service and Community Care Act 1990(5)

(1) 1987 c. 37.

(2) See the definition of “prescribed” in section 3(6).

(3) See the definition of “local social services authority” in Schedule 1, paragraph 2(4) of the Act.

(4) S.I.1989/206.

(5) 1990 c. 19.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In regulation 8(3)(a), (4) and (5) (exemption from access to personal health information from a health professional) after the words “health authority” on each occasion on which they appear there shall be inserted the words “or National Health Service trust” and at the end of regulation 8(3)(a) for the words “with that” there shall be substituted “with a”.

(4) In the Schedule to the Regulations (Health Professionals) in column 1 (Description) there shall be inserted—

- (a) after the words “health authority” in the penultimate entry the words “or National Health Service trust”, and
- (b) after the words “an authority” in the last entry the words “or National Health Service trust”.

William Waldegrave
One of Her Majesty’s Principal Secretaries of
State

9th July 1991

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Access to Personal Files (Social Services) Regulations 1989 by extending the provision for exemption from access to personal health information from a health professional contained in regulation 8 to take account of National Health Service trusts and by including an art therapist or music therapist employed by a National Health Service trust and a scientist employed by a National Health Service trust as a head of department in the definition of health professionals referred to in the Schedule to the 1989 Regulations.