



NHS Redress Act 2006

2006 CHAPTER 44

England

6 Proceedings under scheme

- (1) Subject to subsections (3) to (6), a scheme may make such provision as the Secretary of State thinks fit about proceedings under the scheme.
- (2) A scheme may, in particular, make provision—
 - (a) about the investigation of cases under the scheme (including provision for the overseeing of the investigation by an individual of a specified description);
 - (b) about the making of decisions about the application of the scheme;
 - (c) for time limits in relation to acceptance of an offer of compensation under the scheme;
 - (d) about the form and content of settlement agreements under the scheme;
 - (e) for settlement agreements under the scheme to be subject in cases of a specified description to approval by a court;
 - (f) about the termination of proceedings under the scheme.
- (3) A scheme must—
 - (a) make provision for the findings of an investigation of a case under the scheme to be recorded in a report, and
 - (b) subject to subsection (4), make provision for a copy of the report to be provided on request to the individual seeking redress.
- (4) A scheme may provide that no copy of an investigation report need be provided—
 - (a) before an offer is made under the scheme or proceedings under the scheme are terminated, or
 - (b) in such other circumstances as may be specified.
- (5) A scheme must provide for a settlement agreement under the scheme to include a waiver of the right to bring civil proceedings in respect of the liability to which the settlement relates.

Status: This is the original version (as it was originally enacted).

- (6) A scheme must provide for the termination of proceedings under the scheme if the liability to which the proceedings relate becomes the subject of civil proceedings.