

SCHEDULES

SCHEDULE 2

Section 20.

CONSEQUENTIAL AMENDMENTS

The Parliamentary Commissioner Act 1967 (c. 13)

- 1 In section 11A of the Parliamentary Commissioner Act 1967 (consultations between Parliamentary Commissioner and Health Service Commissioners) in subsection (1)(b) for the words “Part V of the National Health Service Act 1977” to the end there shall be substituted “the Health Service Commissioners Act 1993.”
- 2 In paragraph 8 of Schedule 3 to that Act (action taken by certain health service bodies not subject to investigation by the Parliamentary Commissioner) after the words “Scottish Health Service” there shall be inserted “by the Dental Practice Board or the Scottish Dental Practice Board”.

The Local Government Act 1974 (c. 7)

- 3 In section 29(5)(b) of the Local Government Act 1974 (restriction on disclosure of information by Health Service Commissioners in relation to investigations by Local Commissioners) for the words “paragraph 16 of Schedule 13 to the National Health Service Act 1977” there shall be substituted “section 15 of the Health Service Commissioners Act 1993”.
- 4 (1) Section 33 of that Act (consultation between Local Commissioners, Parliamentary Commissioner and Health Service Commissioners) shall be amended as follows.
 - (2) In subsection (1) for the words “sections 109” to the end of paragraph (b) and for the words “Part V of the Act of 1977” there shall be substituted “the Act of 1993.”
 - (3) In subsection (3)—
 - (a) for the words from the beginning to “Commissioner conducting the investigation” there shall be substituted—

“(3) If, at any stage in the course of conducting an investigation under the Act of 1967, the Parliamentary Commissioner”; and
 - (b) the words “under the Act of 1967 or Part V of the Act of 1977, as the case may be,” shall be omitted.
 - (4) In subsection (4) the words “or Part V of the Act of 1977” shall be omitted.
 - (5) In subsection (5) for the words “paragraph 16 of Schedule 13 to the National Health Service Act 1977” there shall be substituted “section 15 of the Act of 1993”.
 - (6) In subsection (6) for the words “the “Act of 1977”” onwards there shall be substituted “the “Act of 1993” means the Health Service Commissioners Act 1993.”

Status: This is the original version (as it was originally enacted).

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

- 5 In section 27(5)(b) of the Local Government (Scotland) Act 1975 (restriction on disclosure of information by Health Service Commissioner for Scotland in relation to investigations by Commissioner for Local Administration in Scotland) for the words “that section (as applied by section 95 of the National Health Service (Scotland) Act 1978)” there shall be substituted “section 15 of the Health Service Commissioners Act 1993”.
- 6 (1) Section 31 of that Act (consultation between Commissioner for Local Administration in Scotland, Parliamentary Commissioner and Health Service Commissioner for Scotland) shall be amended as follows.
- (2) In subsection (1) for the words “section 93 of the Act of 1978” and “Part VI of the Act of 1978” there shall be substituted “the Act of 1993”.
- (3) In subsection (3)—
- (a) for the words from the beginning to “Commissioner conducting the investigation” there shall be substituted—
- “(3) If, at any stage in the course of conducting an investigation under the Act of 1967, the Parliamentary Commissioner”; and
- (b) the words “under the Act of 1967 or Part VI of the Act of 1978, as the case may be,” shall be omitted.
- (4) In subsection (4) the words “or Part VI of the Act of 1978” shall be omitted.
- (5) In subsection (5) for the words “in that section as applied by section 95 of the Act of 1978” there shall be substituted “in section 15 of the Act of 1993”.
- (6) In subsection (6) for the words “the “Act of 1978”” onwards there shall be substituted “the “Act of 1993” means the Health Service Commissioners Act 1993.”

The Hospital Complaints Procedure Act 1985 (c. 42)

- 7 In section 1(2) of the Hospital Complaints Procedure Act 1985 for the words “under Part V” to “Commissioners)” there shall be substituted “under the Health Service Commissioners Act 1993”.

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

- 8 In section 2(1) of the Parliamentary and Health Service Commissioners Act 1987 (removal of a Commissioner on medical grounds) for the words from the beginning to “for Scotland)” there shall be substituted “Section 1 of the 1967 Act (which deals with the appointment and tenure of office by the Parliamentary Commissioner)”.