

*These notes refer to the Health and Social Care Act 2008
(c.14) which received Royal Assent on 21 July 2008*

HEALTH AND SOCIAL CARE ACT 2008

EXPLANATORY NOTES

TERRITORIAL EXTENT

New section 45F of the Medical Act 1983 – interpretation of Part 5A

Section 120: Additional responsibilities of responsible officers: England and Wales and Northern Ireland

375. **Section 120** allows the Secretary of State in relation to England, the Welsh Ministers in relation to Wales, and DHSSPSNI in relation to Northern Ireland, by regulations to confer further responsibilities on responsible officers nominated or appointed under Part 5A of the Medical Act 1983. *Subsection (1)* sets out that these additional responsibilities may relate to the initial employment of doctors, the monitoring of the performance or conduct of doctors, and ensuring appropriate action is taken when concerns are raised in relation to such performance or conduct (in circumstances which would not call into question the doctor's fitness to practise under the Medical Act 1983). *Subsection (5)* applies sections 45A(5)(d), 45B(2) to (5) and 45C(1), (3) and (4) of the Medical Act 1983 (relating to the provision of resources, organisations having more than one responsible officer, the connection between a medical practitioner and a designated body, designated bodies conferring powers and additional functions on responsible officers, the creation of offences and procedures for enforcement and the provision of information) to regulations made under this section in the same way as those sections apply to regulations made under section 45A of that Act. *Subsection (6)* enables regulations to require designated bodies or their responsible officers to take account of guidance issued by or on behalf of the appropriate authority.