STATUTORY INSTRUMENTS

1980 No. 1202

HEALTH SERVICES

The Health Services (Inspectors) Regulations 1980

Made - - - -	*8th August* 1980
Laid before Parliament	*15th August* 1980
Coming into Operation	*8th September* 1980

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 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 the Act, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Health Services (Inspectors) Regulations 1980 and shall come into operation on 8th September 1980.

Interpretation

2.—(1) In these regulations:—

"the Act" means the Health Services Act 1976;

"controlled premises" and

"controlled works" have the meanings given 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;

"notifiable works" and "notifiable change" have the meanings given by section 14(7) of the Act(**b**);

"visiting force" has the meaning given by section 20 of the Act.

Appointment of inspectors

3. The Secretary of State may appoint such persons to act as inspectors under his direction for the purposes of Part III of the Act (except so far as it relates to notifiable works or the making of any notifiable change) as he may think fit.

(**a**) 1976 c. 83; section 16(4) was amended by the Health Services Act 1980 (c. 53), sections 9 and 15 and Schedule 2, paragraph 4 and Schedule 3 paragraph 3.

(**b**) Section 14(7) was amended by section 14(4) of the Health Services Act 1980.

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.

Revocation of regulations

6. The Health Services Board (Inspectors) Regulations 1977(**a**) are hereby revoked:

Provided that, without prejudice to the generality of the rules of construction contained in the Interpretation Act 1978(**b**), such revocation shall not affect any appointment made under or by virtue of those regulations and any such appointment shall, so far as it could have been made under or by virtue of those regulations, have effect as if it had been so made.

Patrick Jenkin,
Secretary of State for Social Services.

8th August 1980.

(**a**) S.I. 1977/673. (**b**) 1978 c. 30.

Nicholas Edwards,
Secretary of State for Wales.

8th August 1980.

George Younger,
Secretary of State for Scotland.

8th August 1980.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations, which replace the Health Services Board (Inspectors) Regulations 1977, deal with the appointment and powers of entry and inspection granted to inspectors appointed for the purposes 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 his direction. 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.