

# Registration of Cancer Bill [HL]

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Schedule – Cancer Registries in England, Wales and Northern Ireland

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**B I L L**

TO

Make provision about the registration of cancer; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Cancer Registries: continuation**

- (1) The Cancer Registries in England, Wales and Northern Ireland listed in the Schedule shall not be disbanded.
- (2) For the purposes of subsection (1), a merger of two or more Cancer Registries shall not count as disbandment. 5

**2 National Cancer Registry**

- (1) The Secretary of State shall maintain the National Cancer Registry (“the Registry”), which is comprised of the Network of Regional Cancer Registries.
- (2) The Registry shall collate information from the Cancer Registries listed in the Schedule on all cancers diagnosed in residents of England and Wales. 10
- (3) The Cancer Registries shall obtain the information mentioned in subsection (2) from the health care organisations responsible for cancer patients.
- (4) For the purposes of subsection (3), “health care organisations” is not limited to organisations which are part of the National Health Service.

**3 Information held by the Registry** 15

- (1) The Secretary of State may, on a request to the Registry, obtain information held by the Registry for the purpose of monitoring—
  - (a) the incidence of cancer;
  - (b) treatment patterns of cancer;
  - (c) the survival rates of persons with cancer; 20
  - (d) cancer mortality rates.

- (2) Information held by the Registry may be used for the purpose of –
- (a) supporting health services provided for cancer patients;
  - (b) supporting public health;
  - (c) supporting research into –
    - (i) the causes of cancer, 5
    - (ii) the processes of cancer care, and
    - (iii) the effects of cancer.
- (3) The Registry shall regularly assess the accuracy of its information.

#### **4 Reporting of cancer**

- (1) Where a medical examination or cancer test indicates the presence of cancer in a person (including a deceased person), the health care organisation where that examination or test was carried out shall report the finding to the Cancer Registry in the prescribed form and within the prescribed time. 10
- (2) For the purposes of subsection (1), the prescribed form and the prescribed time shall be determined by order made by the Secretary of State. 15
- (3) The Registry shall have access to death records for the purpose of registering cases, including information on the place of death and the coded and underlying causes of death.
- (4) The Registry shall have access to health care records for the purposes of registering cases. 20
- (5) The Registry shall have access to cancer screening records for the purpose of monitoring the effectiveness of cancer screening.
- (6) The Registry shall have access to national patient registers for the purpose of obtaining demographic records.

#### **5 Protection of patients' data** 25

- (1) Publications or reports produced by the Registry may not disclose the identity of an individual cancer patient.
- (2) Patients who do not wish to be contacted for the purposes of research into the matters listed in section 3(2)(c) may, at any time, request that this preference be noted on their cancer registry record. 30
- (3) Any request made under subsection (2) received by the Registry must be noted on the patient's cancer registry record within four weeks of its receipt by the Registry.

#### **6 Protection against court proceedings**

No court proceedings, whether civil or criminal, may be instigated against a person by reason of that person having made available to the Registry any information for the purposes of complying with the requirements of this Act. 35

#### **7 Power to make regulations**

The Secretary of State may from time to time make regulations –

- (a) declaring any type of cancer to be a cancer to which this Act does not apply;
- (b) adding conditions which are regarded as cancerous or pre-cancerous to which this Act will apply;
- (c) providing for such other matters as are necessary for giving full effect to this Act and for its due administration. 5

## 8 Interpretation

In this Act –

“cancer” –

- (a) means a malignant growth of human tissue that, if unchecked – 10
  - (i) is likely to spread to adjacent tissue or beyond its place of origin, and
  - (ii) may have the propensity to recur;
- (b) without limiting the generality of paragraph (a), includes – 15
  - (i) carcinoma in situ,
  - (ii) carcinoma,
  - (iii) sarcoma,
  - (iv) any mixed tumour,
  - (v) any tumour of the central nervous system,
  - (vi) haematological malignancy, 20
  - (vii) melanoma, and
  - (viii) cancers of unknown origin;

“cancer test” means any examination (including radiological investigations) or tests (including the examination of any tissue) carried out with the purpose of determining the presence or absence of cancer in any person (including a deceased person); 25

“Secretary of State”, in the case of Wales, mean the National Assembly for Wales.

## 9 Short title, commencement and extent

- (1) This Act may be cited as the Registration of Cancer Act 2005. 30
- (2) This Act shall come into force in accordance with provision made by order of the Secretary of State.
- (3) An order under this section may appoint different days for different provisions and different purposes.
- (4) This Act extends to England, Wales and Northern Ireland only. 35

## SCHEDULE

Section 1

### CANCER REGISTRIES IN ENGLAND, WALES AND NORTHERN IRELAND

EACR	East Anglian Cancer Registry	
MCCR	Mersey and Cheshire Cancer Registry	
NICR	Northern Ireland Cancer Registry	5
NWCR	North Western Cancer Registry	
NYCRIS	Northern & Yorkshire Cancer Registry and Information Service	
OCIU	Oxford Cancer Intelligence Unit	
SWCIS	South West Cancer Intelligence Service	10
ThCR	Thames Cancer Registry	
TrCR	Trent Cancer Registry	
WCISU	Welsh Cancer Intelligence and Surveillance Unit	
WMCIU	West Midlands Cancer Intelligence Unit	

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To make provision about the registration of cancer; and for connected purposes.

*The Baroness Finlay of Llandaff*

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