

These notes relate to the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13) which received Royal Assent on 5 August 2005

SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) ACT 2005

EXPLANATORY NOTES

SCOTTISH HOSPITAL ENDOWMENTS RESEARCH TRUST

Schedule 3 - Repeals

214. The following provisions amend the [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp13\)](#).
215. At present, paragraph 4(3)(b) of schedule 2 of the Mental Health (Care and Treatment) (Scotland) Act 2003 provides that a member of the Mental Health Tribunal for Scotland must vacate office on the day on which the member reaches the age of 70. The repeal of paragraph 4(3)(b) of schedule 2 removes this requirement.
216. The repeal of paragraph 4(6)(b) of schedule 2 removes reference to the Tribunal members' age as one of the circumstances by which they would not be reappointed after a current 5 year appointment has ended.

Parliamentary History

The following table sets out, for each Stage of the proceedings in the Scottish Parliament on the Bill for this Act, the dates on which the proceedings at that Stage took place, the references to the Official Report of those proceedings and the dates on which Committee Reports and other papers relating to the Bill were published, and references to those Reports and other papers.

<i>Proceedings and Reports</i>	<i>Reference</i>
Introduction	
14 December 2004	Bill as introduced (SP Bill 33)
Stage 1	
<i>(a) Health Committee</i>	
1st Meeting 2005 (Session 2)	11 January 2005, Cols 1493 - 1530 & Minutes
5th Meeting 2005 (Session 2)	22 February 2005, Cols 1626 – 1658 & Minutes
6th Meeting 2005 (Session 2)	1 March 2005, Cols 1661 – 1702 & Minutes
7th Meeting 2005 (Session 2)	8 March 2005, Cols 1704 – 1760 & Minutes
8th Meeting 2005 (Session 2)	15 March 2005, Cols 1763 – 1834 & Minutes

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<i>Proceedings and Reports</i>	<i>Reference</i>
22 April 2005:	Stage 1 Report on the Smoking etc. (Scotland) Bill (SP Paper 322)
6th Report 2005 (Session 2): Stage 1 Report on Smoking, Health and Social Care (Scotland) Bill	
<i>(b) Subordinate Legislation Committee</i>	
11 th Meeting 2005 (Session 2)	12 April 2005, Cols 942 – 945 & Minutes
Report to Health Committee	[refer to Health Committee report]
<i>(c) Finance Committee</i>	
5 th Meeting 2005 (Session 2)	8 February 2005, Cols 2309 – 2334 & Minutes
7 th Meeting 2005 (Session 2)	1 March 2005, Cols 2421 – 2441 & Minutes
Report to Health Committee	[refer to Health Committee report]
<i>(d) Consideration by Parliament</i>	
Stage 1 debate 28 April 2005	Vol. 2, No. 67 (Session 2) Cols 16471 – 16524
Stage 2	
<i>(a) Health Committee</i>	
14th Meeting 2005 (Session 2)	17 May 2005, Cols 1942 – 1984 & Minutes
15th Meeting 2005 (Session 2)	24 May 2005, Cols 1987 – 1994 & Minutes
16th Meeting 2005 (Session 2)	31 May 2005, Cols 1997 – 2018 & Minutes
17th Meeting 2005 (Session 2)	7 June 2005, Cols 2022 – 2035 & Minutes
18th Meeting 2005 (Session 2)	14 June 2005, Cols 2037 – 2076 & Minutes
<i>(b) Subordinate Legislation Committee</i>	
21st Meeting 2005 (Session 2)	21 June 2005, Cols 1110 – 1113 & Minutes
Bill (as Amended at Stage 2)	SP Bill 33A
Stage 3	
<i>Consideration by Parliament</i>	
Stage 3 debate, 30 June 2005	Vol. 3, No. 12 (Session 2) Cols 18613 – 18636 and 18678 – 18747
Bill passed, 30 June 2005	Bill as passed (SP Bill 33B)
Royal Assent	
05 August 2005	Smoking, Health and Social Care (Scotland) Act 2005 (asp13)